



**DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**UNDER s104 RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	Geoffrey & Christine Bradley
<b>RM reference:</b>	RM150147
<b>Application:</b>	<p>Application under Section 88 of the Resource Management Act (RMA) for land use consent to construct an addition to an existing residential unit that partially extends outside of an approved residential building platform to contain a second residential unit and to undertake associated earthworks and landscaping</p> <p>Application under Section 127 of the RMA to change Condition 1 and delete Condition 8 of RM120176 to amend the approved building and landscape plans</p> <p>Application under Section 221 of the RMA to change Condition A in Part A of Consent Notice 9552013.5 to enable the residential unit to partially extend outside of the approved residential building platform</p>
<b>Location:</b>	4 Healecote Lane, Wakatipu Basin
<b>Legal Description:</b>	Lot 2 Deposited Plan 452311 held in Computer Freehold Register 600010
<b>Zoning:</b>	Rural Lifestyle
<b>Activity Status:</b>	<b>Non-Complying</b>
<b>Notification Decision:</b>	Publicly Notified
<b>Decision Date</b>	<b>10 August 2015</b>

**SUMMARY OF DECISIONS**

1. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 2, 3 and 4** of this decision imposed pursuant to Section 108 of the RMA. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Blair Devlin, Manager Resource Consenting, as delegate for the Council.

## 1. PROPOSAL AND SITE DESCRIPTION

Resource consent is sought under section 88 of the RMA for land use consent to construct an addition to an existing residential unit that partially extends outside of an approved residential building platform to contain a second residential unit and to undertake associated earthworks and landscaping

Consent is also sought under Section 127 of the RMA to change Condition 1 and delete Condition 8 of RM120176 to amend the approved building and landscape plan. It is considered that the proposal can be assessed under section 127 of the RMA as the amended conditions will not change the activity approved under RM120176.

In addition, Consent is sought under Section 221 of the RMA to change Condition A.) in Part A of Consent Notice 9552013.5 to enable the residential unit to partially extend outside of the approved residential building platform.

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Sections 2-5 of the report entitled AEE, prepared by Sean Dent of Southern Planning Group, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 1 with the S42A report). This description is considered accurate and is adopted for the purpose of this report.

For ease of reference the location of the site is shown below in Figure 1 and Figure 2 below shows the existing residential unit.



Figure 1. Location of the site (outlined in yellow)



Figure 2. View of site looking north

## 2. NOTIFICATION, SUBMISSIONS AND OBLIGATION TO HOLD A HEARING

The application was publicly notified on 6 May 2015. One submission was received in this period which was subsequently withdrawn on 18 July 2015. The consent authority does not consider a hearing is necessary.

A decision under section 100 of the Act to not hold a hearing was made by Mr Blair Devlin (Manager, Resource Consenting) on 5 August 2015.

## 2. THE PLANNING FRAMEWORK

This application must be considered in terms of Section 104 of the Resource Management Act 1991. Section 6.0 of the S42A report outlines S104 of the Act in more detail. This report is contained in *Appendix 1*.

The application must also be assessed with respect to Part 2 of the Act which is to promote the sustainable management of natural and physical resources. Section 10 of the S42A report outlines Part 2 of the Act.

### 2.1 THE DISTRICT PLAN

The subject site is zoned Rural Lifestyle.

The purpose of the Rural Lifestyle Zone is to provide for low density residential opportunities as an alternative to the suburban living areas of the District. The Rural-lifestyle Zone recognises that in some locations low density rural living development is appropriate.

The relevant provisions of the Plan that require consideration can be found in Part 8 of the District plan.

Resource consent is required for the following reasons:

- A **restricted discretionary** activity pursuant to Rule 8.2.2.3(iv) as the proposal breaches site standard 8.2.4.1(x)(1)(a) in regard to whereby the maximum volume of earthworks undertaken within the subject site in any consecutive 12 month period will exceed 100m<sup>3</sup> in volume. It is proposed to undertake 340m<sup>3</sup> of earthworks on the subject site. Council's discretion is restricted to this matter.

- A **restricted discretionary** activity pursuant to Rule 8.2.2.3(iv) as the proposal breaches site standard 8.2.4.1(x)(1)(b) in regard to whereby earthworks with an average depth of more than 0.5m will exceed 200m<sup>2</sup> in area. Earthworks are proposed over 275m<sup>2</sup> of the subject site. Council's discretion is restricted to this matter.
- A **restricted discretionary** activity pursuant to Rule 8.2.2.3(iv) as the proposal breaches site standard 8.2.4.1(x)(2)(b) in regard to whereby the maximum height of cut will exceed 2.4m. It is proposed to have a maximum cut height of 3m. Council's discretion is restricted to this matter.
- A **non-complying** activity resource consent pursuant to Rule 8.2.2.4(vi)(a) for a residential unit not contained within a Residential Building Platform approved under Rule 15.2.6.3 of the District Plan.

## 2.2 RESOURCE MANAGEMENT ACT 1991

- A **discretionary** activity consent pursuant to section 127(3)(a) of the RMA, which deems any application to change or cancel consent conditions to be a discretionary activity. It is proposed to change condition 1 and cancel condition 8 of resource consent RM120176, as described in Section 2.0 above, to take into account alterations to the existing residential unit and landscaping as stated above.
- A **discretionary** activity consent pursuant to 87B in accordance with Section 221 of the RMA which specifies a change to a consent notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132. It is proposed to change Condition A in Part A of Consent Notice 9552013.5 to read:

A.) Residential units on Lot 2 shall be contained within the building platform shown as area E on DP 452311.

Except in relation to the residential unit plans attached as Appendix 4 to RM150147

## 2.3 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

Based on the applicant's review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

## 2.4 SUMMARY

Overall, the application is considered to be a **non-complying** activity.

## 4. SUMMARY OF EVIDENCE HEARD

This is not applicable in this case as there has not been a hearing.

## 5. PRINCIPAL ISSUES IN CONTENTION

The principal issues arising from the application is the effect on landscape and visual amenity values, domestication of the landscape, earthworks, natural hazards, infrastructure, parking, access and manoeuvrability.

The findings relating to these principal issues of contention are outlined in Section 8 of the attached S42A report.

## 6. ASSESSMENT

### 6.1 Actual and Potential Effects (s104(1)(a))

Actual and potential effects on the environment have been addressed in Section 8 of the S42A report prepared for Council and provides a full assessment of the application. Where relevant conditions of consent can be imposed under section 108 of the RMA as required to avoid, remedy or mitigate adverse effects. A summary of conclusions of that report are outlined below:

- It is considered that the adverse effects of the proposed addition, second residential unit and associated earthworks and landscaping in the Rural Lifestyle Zone will be no more than minor; and
- Subject to appropriate mitigation of effects the proposal will not have more than minor effects on the surrounding environment and persons.

## **6.2 RELEVANT DISTRICT PLAN PROVISIONS (s104(1)(b)(vi))**

As outlined in detail in Section 8.2 the S42A report, overall the proposed development is in accordance with the relevant policies and objectives of the District Plan

As outlined in Section 8.3 of the S42A report the unique circumstances arising with this proposal are unlikely to be replicated elsewhere, such that the likely risk of an undesirable precedent is low.

## **6.3 PARTICULAR RESTRICTIONS FOR NON-COMPLYING ACTIVITIES (s104(D))**

With respect to the assessment above, the first threshold test for a non-complying activity required under Section 104D has been met in that the application is not considered to create any actual or potential adverse effects which are more than minor in extent.

With respect to the second threshold test under Section 104D it is concluded that the application can pass through the second gateway test given that the proposal is not considered to be contrary to the relevant policies and objectives of the District Plan. On this basis discretion exists to grant consent for this non-complying activity.

## **6.4 PART 2 OF THE RMA**

In terms of Part 2 of the RMA, the proposal is considered to be in accordance with the purpose of the Resource Management Act 1991 as outlined in further detail in Section 10 of the S42A report.

## **7. DECISION ON LANDUSE CONSENT AND VARIATIONS PURSUANT TO SECTION 104 OF THE RMA**

Pursuant to sections 104 of the RMA this consent is **granted** subject to the conditions stated in *Appendix 2 (RM150147)*, *Appendix 3 (Updated Conditions RM120176)*, *Appendix 4 (Updated Condition A.) Consent Notice 9552013.5* of this decision imposed pursuant to Section 108 of the RMA.

## **8.0 OTHER MATTERS**

### *Administrative Matters*

### *Local Government Act 2002: Development Contributions*

Payment will be due prior to commencement of the consent, except where a Building Consent is required when payment shall be due prior to the issue of the code of compliance certificate.

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or if all conditions have been met.

This resource consent is not a consent to build under the Building Act 2004. A consent under this Act must be obtained before construction can begin.

This resource consent must be exercised within five years from the date of this decision subject to the provisions of Section 125 of the Resource Management Act 1991.

If you have any enquiries please contact Liz Hislop on phone (03) 450 0304 or email [liz.hislop@qldc.govt.nz](mailto:liz.hislop@qldc.govt.nz).

Report prepared by



Liz Hislop  
**SENIOR PLANNER**

Decision made by



Blair Devlin  
**MANAGER RESOURCE CONSENTING**

**APPENDIX 1** - Section 42A Report

**APPENDIX 2** - Consent Conditions RM150147

**APPENDIX 3** - Updated Conditions RM120176

**APPENDIX 4** – Updated Condition A.) of Consent Notice 9552013.5

**APPENDIX 1 - SECTION 42A REPORT**

FILE REF: RM150147

**TO** Blair Devlin: Resource Consents Manager  
**FROM** Liz Hislop  
**SUBJECT** Report on a publicly notified consent application.

#### SUMMARY

**Applicant:** Geoffrey & Christine Bradley  
**Location:** 4 Healecote Lane, Wakatipu Basin  
**Proposal:** Application under Section 88 of the Resource Management Act (RMA) for land use consent to construct an addition to an existing residential unit that partially extends outside of an approved residential building platform to contain a second residential unit and to undertake associated earthworks and landscaping.  
  
Application under Section 127 of the RMA to change Condition 1 and delete Condition 8 of RM120176 to amend the approved building and landscape plans  
  
Application under Section 221 of the RMA to change Condition A.) in Part A of Consent Notice 9552013.5 to enable the residential unit to partially extend outside of the approved residential building platform  
**Legal Description:** Lot 2 Deposited Plan 452311 held in Computer Freehold Register 600010  
**Zoning:** Rural Lifestyle  
**Public Notification Date:** 6 May 2015  
**Closing Date for Submissions:** 4 June 2015  
**Submissions:** One

- One submission was received in opposition to the application from Peter & Robyn Ireland of 204 Tucker Beach Road, however, this submission was withdrawn on 18 July 2015.

#### RECOMMENDATION

The application be GRANTED pursuant to Section 104 of the Resource Management Act 1991 (the RMA) for the following reasons:

1. It is considered that the adverse effects of the proposed addition, second residential unit and associated earthworks and landscaping will be no more than minor.
2. The proposal is not contrary to the relevant objectives and policies of the District Plan.
3. The proposal does promote the overall purpose of the RMA.



## 1. INTRODUCTION

My name is Liz Hislop. I am a Senior Resource Consents Planner with Queenstown Lakes District Council (QLDC). I have been employed with QLDC since 14 April 2014.

I hold the qualifications of a Bachelor of Resource Studies and Master of Applied Science (Environmental Management) from Lincoln University. I have approximately ten years' experience as a planner in roles within various Councils in New Zealand and the United Kingdom. I am a graduate plus member of the New Zealand Planning Institute.

This report has been prepared to assist the Commission. It contains a recommendation that is in no way binding. It should not be assumed that the Commission will reach the same conclusion.

## 2. PROPOSAL AND SITE DESCRIPTION

Resource consent is sought under section 88 of the RMA for land use consent to construct an addition to an existing residential unit that partially extends outside of an approved residential building platform to contain a second residential unit and to undertake associated earthworks and landscaping

Consent is also sought under Section 127 of the RMA to change Condition 1 and delete Condition 8 of RM120176 to amend the approved building and landscape plan. It is considered that the proposal can be assessed under section 127 of the RMA as the amended conditions will not change the activity approved under RM120176.

In addition, Consent is sought under Section 221 of the RMA to change Condition A.) in Part A of Consent Notice 9552013.5 to enable the residential unit to partially extend outside of the approved residential building platform.

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Sections 2-5 of the report entitled AEE, prepared by Sean Dent of Southern Planning Group, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix A). This description is considered accurate and is adopted for the purpose of this report.

For ease of reference the location of the site is shown below in Figure 1 and Figure 2 below shows the existing residential unit.



Figure 1. Location of the site (outlined in yellow)



Figure 2. View of site looking north

### 3. SUBMISSIONS

#### 3.1 SUBMISSIONS

The submission received is summarised in the table below and Figure 3 below shows the submitters property. The full submission is contained within Appendix B of this report.

Name	Location of Submitters' Property	Summary of Submission	Relief Sought
Peter and Robyn Ireland	204 Tucker Beach Road, RD1, Queenstown	Inadequate stormwater drainage plan. Stormwater solution should be approved by a qualified engineer to ensure that stormwater does not encroach into their property.	<p>Conditions which ensure no further water flows into their property or any other property and a stormwater plan agreed.</p> <p>Acceleration of any Council Plan to control stormwater along the south side of Tucker Beach Road.</p>

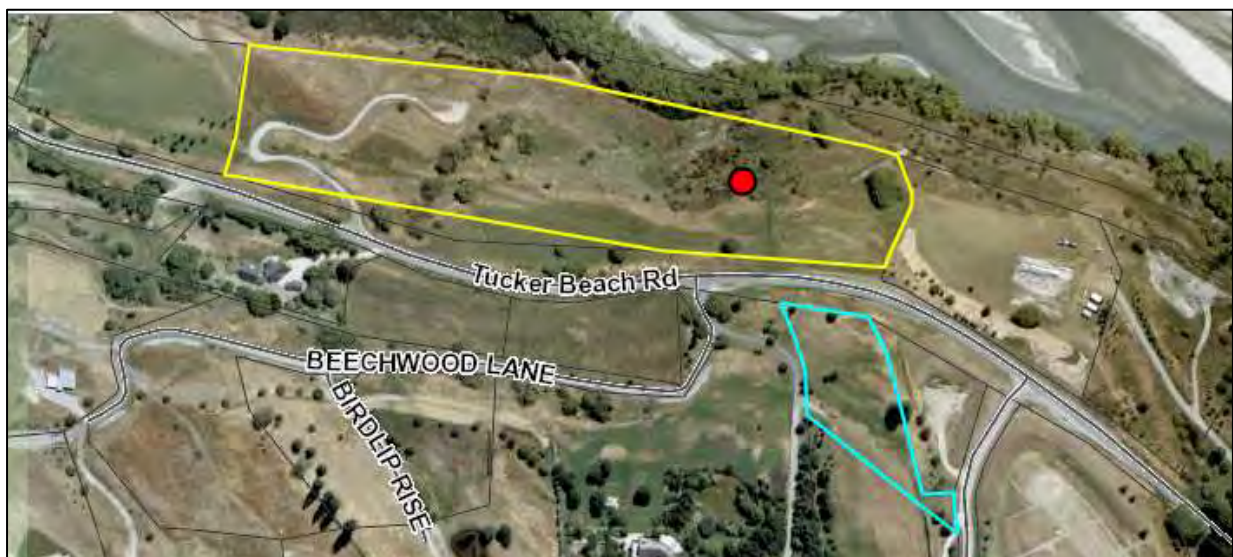


Figure 3. Location of submitter's property indicated by red dot, subject site outlined in blue

The above submission was formally withdrawn on 18 July 2015 (also contained in Appendix B). The withdrawal of the submission followed a meeting with the submitter, David Broomfield (Developer), Ulrich Glasner (Chief Engineer – QLDC) at which time the submitter states agreement was reached to solving the stormwater issues at their property. As the submission has now been withdrawn it no longer requires consideration.

#### 4. CONSULTATION AND WRITTEN APPROVALS

No written approvals or evidence of consultation have been provided as part of the application.

#### 5. PLANNING FRAMEWORK

##### 5.1 THE DISTRICT PLAN

The subject site is zoned Rural Lifestyle.

The purpose of the Rural Lifestyle Zone is to provide for low density residential opportunities as an alternative to the suburban living areas of the District. The Rural Lifestyle Zone recognises that in some locations low density rural living development is appropriate.

The relevant provisions of the Plan that require consideration can be found in Part 8 of the District plan.

Resource consent is required for the following reasons:

- A **restricted discretionary** activity pursuant to Rule 8.2.2.3(iv) as the proposal breaches site standard 8.2.4.1(x)(1)(a) whereby the maximum volume of earthworks undertaken within the subject site in any consecutive 12 month period will exceed 100m<sup>3</sup> in volume. It is proposed to undertake 340m<sup>3</sup> of earthworks on the subject site. Council's discretion is restricted to this matter.
- A **restricted discretionary** activity pursuant to Rule 8.2.2.3(iv) as the proposal breaches site standard 8.2.4.1(x)(1)(b) whereby earthworks with an average depth of more than 0.5m will exceed 200m<sup>2</sup> in area. Earthworks are proposed over 275m<sup>2</sup> of the subject site. Council's discretion is restricted to this matter.
- A **restricted discretionary** activity pursuant to Rule 8.2.2.3(iv) as the proposal breaches site standard 8.2.4.1(x)(2)(b) whereby the maximum height of cut will exceed 2.4m. It is proposed to have a maximum cut height of 3m. Council's discretion is restricted to this matter.
- A **non-complying** activity resource consent pursuant to Rule 8.2.2.4(vi)(a) for a residential unit not contained within a Residential Building Platform approved under Rule 15.2.6.3 of the District Plan.

##### 5.2 RESOURCE MANAGEMENT ACT 1991

- A **discretionary** activity consent pursuant to section 127(3)(a) of the RMA, which deems any application to change or cancel consent conditions to be a discretionary activity. It is proposed to change condition 1 and cancel condition 8 of resource consent RM120176, as described in Section 2.0 above, to take into account alterations to the existing residential unit and landscaping as stated above.
- A **discretionary** activity consent pursuant to 87B in accordance with Section 221 of the RMA which specifies a change to a consent notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132. It is proposed to change Condition A.) in Part A of Consent Notice 9552013.5 to read:

A.) *Residential units on Lot 2 shall be contained within the building platform shown as area E on DP 452311.*

Except in relation to the residential unit plans approved under RM150147

### **5.3 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH**

Based on the applicant's review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

### **5.4 SUMMARY**

Overall, the application is considered to be a **non-complying** activity.

## **6.0 STATUTORY CONSIDERATIONS**

This application must be considered in terms of Section 104 of the RMA.

Subject to Part 2 of the RMA, Section 104 sets out those matters to be considered by the consent authority when considering a resource consent application. In addition, Section 104D places particular restrictions on non-complying activities. Following assessment under Section 104, the application must be considered under Section 104B of the RMA.

The application must also be assessed with respect to the purpose of the RMA which is to promote the sustainable management of natural and physical resources. Section 10 of this report outlines Part 2 of the RMA in more detail.

Section 108 empowers the Commission to impose conditions on a resource consent.

## **7. INTERNAL REPORTS**

The following reports have been prepared on behalf of QLDC and are attached as appendices.

- Engineering Report from Council's Consultant Engineer, Ms Carolyn Grise dated 26 March 2015 (attached as Appendix C)

The assessments and recommendations of the reports are addressed where appropriate in the assessment to follow.

## **8. ASSESSMENT**

It is considered that the proposal requires assessment in terms of the following:

- (i) Effects on the Environment
- (ii) Objectives and Policies Assessment
- (iii) Other Matters (precedent, other statutory documents)

### **8.1 EFFECTS ON THE ENVIRONMENT**

The applicant has considered the actual and potential effects on the environment in their AEE under the headings listed below. The applicant's AEE is considered accurate and is adopted by this report with the following additional assessment made.

In addition, the comments and recommendations of the Council's Consultant Engineer, Ms Grise are referred to where appropriate below.

- Effects on Landscape and Visual Amenity Values;
- Effects of Second Residential Unit on Domestication of the Landscape;
- Effects of the Proposed Earthworks;
- Effects on Natural Hazards; and
- Effects on Infrastructure and Servicing



In addition, to the applicant's assessment headings an assessment of parking, access and manoeuvrability is included below. Furthermore, the relevant assessment matters are found in section 8.3 of the District Plan and have been taken into consideration in the assessment below.

### **8.1.1 The Permitted Baseline and Existing Environment**

The applicant's assessment in respect to the permitted baseline and existing environment in Section 6, from page 18 of the AEE is considered accurate and adopted in full by this report.

### **8.1.2 Actual and Potential Effects on the Environment**

#### Effects on landscape and visual amenity values

The applicant's assessment in respect to effects on landscape and visual amenity values as result of the addition to the existing dwelling is considered accurate and adopted in full by this report. Overall, any effects in respect of landscape and visual amenity are likely to be less than minor.

The landscaping approved as part of the underlying RM120176 and required by condition 8 of that consent was minimal and essentially specified a small amount of flax planting on the eastern side of the existing residential unit and building platform which has not been implemented. The applicant has provided a far more comprehensive landscape package for the overall site with this application.

There is a risk that if consent is granted for this application but this consent is never implemented and condition 8 of RM120176 has been cancelled then in effect there will be no required landscaping for the site. However, on balance give the minimal landscaping required by condition 8 and taking into account the nature of the site which is largely screened by the contours of the surrounding mounds any effects would be minor.

Overall, I consider that the comprehensive landscaping package will see significantly more landscaping on site and will create a better overall result in terms of amenity and screening of the built form.

#### Effects of Second Residential Unit on Domestication of the Landscape

The provision of an additional residential unit on the subject site has the potential to result in the over domestication of the landscape.

The site is within the Rural Lifestyle Zone which recognises that in some locations low density rural living development is appropriate. The proposed second residential unit will increase the density and could potentially affect the character of the site and surrounds and result in additional traffic generation to and from the site.

An additional residential unit located within the Rural Lifestyle is not anticipated or generally appropriate. However, I consider the unique circumstances in relation to this site make it acceptable which are summarised as follows:

- The proposed building extensions (second residential unit) are just that – an extension of the existing residential unit;
- In its current state due to size and layout of the existing residential unit it is not a practical 'family home' (the applicant's must set up temporary beds in the lounge when family stay);
- The extension/second residential unit will become an integral component of the overall residential unit;
- The proposal incorporates the existing double garage directly in between the residential units and the outdoor parking is all located near the eastern elevation of the existing residential unit and outdoor space to the north; and
- Given the above the renting out of the additional residential unit to a second household is not a practical exercise and is considered fanciful, however, for arguments sake if it was to occur given the secluded nature of the site any effects would be less than minor.

Taking into account the above considerations and in particular the fact that the addition forms an extension to the existing residential unit, the modest nature of the existing residential unit, the unlikelihood of it operating as two individual households due to the location of parking and outdoor space as well as the location of the site it is considered to be acceptable. However, to guard against any future subdivision of the site resulting in two residential units each on smaller lots a condition requiring a covenant to be registered is recommended.

Overall, based on the above assessment, I consider any effects of the additional residential unit are likely to be no more than minor.

#### Effects of the Proposed Earthworks

As outlined in the applicant's AEE the proposal includes a total of 340m<sup>3</sup> of earthworks with a maximum cut of 3m and soil to be removed off site. Potential effects from earthworks include effects on landform, flora and fauna and waterbodies as well as nuisance effects (dust, silt/sedimentation and noise) which may occur during earthworks.

The site of the proposed earthworks contains a cover of grass which will be stripped during the earthworks and this combined with the removal of soil from the site will change the existing landform of the site, but is necessary to create a suitable platform for the addition to be built on. Earthworks are common on sloped residential sites and adverse effects from the works will not be significant provided conditions of consent are imposed relating to site stabilisation and site management.

Ms Grise, has assessed any potential effects in relation to the proposed earthworks and has recommended conditions including requiring standard site management through the earthworks phase and that on completion of the earthworks all earthworked and/or exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised. Ms Grise's recommended conditions are considered appropriate and are adopted by this report.

The site is not characterised as containing significant flora or fauna and as a result of the the removal of the cover of grass with appropriate conditions any effects would be less than minor. The landform will change with the movement of soil, however, it will be indiscernible once construction of the extension is complete as such any effects on landform are likely to be less than minor.

There are no waterbodies identified within close proximity of the site, however, Ms Grise has recommended a condition in relation to measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur. As such any effects in relation to waterbodies are likely to be less than minor.

Earthworks can potentially cause nuisance effects as a result of dust, silt/sedimentation and noise. However, these effects will be short term and temporary in nature and can be appropriately mitigated through conditions which have been recommended. Any nuisance effects are likely to be less than minor.

Overall, taking into account the recommended conditions, I consider adverse effects as a result of the proposed earthworks are likely to be less than minor.

#### Effects on Natural Hazards

The QLDC Hazard Register Map shows that the site is located within an area identified as having a nil to low level of liquefaction risk (LIC1). In addition, Ms Grise has advised that the proposed earthworks are not considered to result in any adverse effects in regard to land stability. Any effects in respect natural hazards are likely to be less than minor.

#### Effects on Infrastructure and Servicing

Existing services include connection to Council's effluent disposal, water supply, and power and telecoms. The building extension will not encroach on any existing services. The proposed building extension will connect into the existing services. Furthermore, Ms Grise is satisfied that there is adequate access to fire hydrants to serve the property.

No Council reticulated stormwater disposal is available. The site proposes to dispose of stormwater via on site soakage pits. Ms Grise is satisfied that the soakage pit design will be assessed during the building consent process.

Overall, I consider any effects in respect to infrastructure and servicing are likely to be less than minor.

#### Parking, access and manoeuvrability

There is an existing two car garage and additional parking space is available for three more vehicles with ample room for manoeuvring. Ms Grise is satisfied that the parking design complies with Council requirements.

Access to the site is from Healecote Lane, which has a chip sealed surface. The access and vehicle crossing were constructed prior to the original building construction, and no changes are proposed. Ms Grise considers that the access for the site with the proposed building extension will still comply with Council requirements.

Overall, I consider any effects in respect to parking, access and manoeuvrability are likely to be less than minor.

### **8.1.3 Overall Summary of Effects**

In summary, the proposal will not result in adverse effects to the environment and persons that are more than minor.

## **8.2 THE DISTRICT PLAN – ASSESSMENT MATTERS AND OBJECTIVES AND POLICIES**

The relevant Objectives and Policies are contained in Sections 4 (District Wide) and 8 of the District Plan (Rural Living). In addition Plan Change 49 (Earthworks) which was notified on 8 July 2015 and is in the appeal period carries weight.

### **8.2.1 Section 4 - District Wide Issues**

Earthworks: 4.11.3 Objectives and Policies

#### **Objectives**

*To avoid, remedy or mitigate the adverse effects from earthworks on:*

- b) The nature and form of existing landscapes and landforms, particularly in areas of Outstanding Natural Landscapes and Outstanding Natural Features.*
- (c) Land stability and flood potential of the site and neighbouring properties*
- (d) The amenity values of neighbourhoods*

#### **Policies:**

- 1. To minimise sediment run-off into water bodies from earthworks activities through the adoption of sediment control techniques.*
- 3. To minimise the area of bare soil exposed and the length of time it remains exposed.*
- 6. To protect the existing form and amenity values of residential areas by restricting the magnitude of filling and excavation.*
- 7. To ensure techniques are adopted to minimise dust and noise effects from earthworks activities.*
- 8. As far as practicable, to protect Waahi Tapu, Waahi Taoka, and other archaeological sites from potential disturbance resulting from earthworks.*
- 11. To ensure that work is suspended and Kai Tahu ki Otago and the NZ Historic Places Trust are notified when archaeological remains are observed or unearthed during earthworks activities.*

Conditions of consent have been proposed to mitigate the identified potential effects of the proposed earthworks. Therefore, the proposal is not contrary with the objective and associated District Wide Policies in respect to earthworks.

### 8.2.2 Section 8 - Rural Living

**Objective 1 – Rural Living**

***Establishment of low density rural living managed and contained in both extent and location***

**Policies:**

- 1.1 *Identify areas for rural living activity having regard to the self-sufficiency of water and sewerage services.*
- 1.2 *Recognise and provide for rural living development.*

The second residential unit will increase the density of the site, in a way that arguably is not anticipated by the District Plan when viewed in the context of the minimum site size for the zone. However, it will be managed and contained in extent and location and adequate services are available in respect to water and sewerage. The proposal recognises and provides for rural living development. Overall, the proposal is not considered to be contrary to Objective 1 and its associated policies.

**Objective 2 – Rural Amenity**

***Avoiding, remedying or mitigating adverse effects of activities on rural amenity.***

**Policies:**

- 2.2 *Remedy or mitigate adverse effects of activities, buildings and structures on visual amenity.*
- 2.3 *Ensure residential dwellings are set back from property boundaries, so as to reduce adverse effects from activities on neighbouring properties.*
- 2.4 *Avoid the location of buildings and water tanks on skylines and ridges and in the Rural Residential zone at the north of Lake Hayes, on prominent slopes.*

The proposed addition is an extension to the existing residential unit and it will be absorbed within the existing built form of the site given that it will be constructed in materials and colours to match the existing. In addition, the topography of the site surrounded by existing mounds and proposed landscaping will partially screen and soften the built form such that any effects on visual amenity will be appropriately mitigated. The proposed addition is appropriately set back from neighbouring properties and will not break a skyline or ridgeline. Overall, the proposal is not considered to be contrary to Objective 2 and its associated policies as they relate to rural amenity.

### 8.2.3 Plan Change 49

The purpose of Plan Change 49 is to simplify and streamline the earthworks provisions of the District Plan. This proposed Plan Change is now in the appeal period. Therefore, the relevant objectives and policies need to also be taken into consideration (as this application was received prior to Council ratification of the Plan Change the rules do not require consideration). Objective 1 requires earthworks that are a necessary part of development provided they are undertaken in a manner that avoids adverse effects on communities and the natural environment. The relevant policies are:

- 1.1 *To promote earthworks designed to be sympathetic to natural topography, and that provide safe and stable building sites and access with suitable gradients.*
- 1.2 *To use environmental protection measures to avoid adverse effects of earthworks, including:*
  - *Sediment run-off erosion control techniques*
  - *Dust control measures to avoid nuisance effects of dust beyond the boundary of*



*the site*

- *Management of storm water and overland flows*
- *Management of construction noise and vibration effects*
- *Limits on the duration of construction taking into account the receiving environment*
- *Traffic management and implementation of techniques to avoid the depositing of sediment onto roads, particularly where access is gained through residential areas.*

1.3 *To promote use of engineering standards and good practice on site.*

1.4 *To require remedial works and re-vegetation to be implemented in a timely manner.*

As noted above, conditions of consent have been proposed to mitigate the identified potential effects of the proposed earthworks. Therefore, the proposal is not contrary with Objective 1 and its associated policies of Plan Change 49.

### **8.2.1 Summary of Findings**

In summary, the proposal is not considered to be contrary to the relevant objectives and policies of the District Plan and Plan Change 49.

## **8.3 OTHER MATTERS**

### **8.3.1 Precedent**

This proposal will result in a second residential unit on a site of 3609m<sup>2</sup>. The District Plan rules for the Rural Lifestyle zone are based on the subdivision chapter, requiring a non-complying activity resource consent for residential units not contained within a Residential Building Platform approved under subdivision Rule 15.2.6.3 of the District Plan. The subdivision provisions have a minimum site size of 1 hectare and an average of 2 hectares. The proposal is therefore increasing the density of development on a site that is already significantly smaller than the minimum site size for the zone (although recognising the allotment has been created through a subdivision consent that has been approved by QLDC). This has the potential to create a significant precedent in other allotments in the same zone or in the vicinity of the site. Applicants have a reasonable expectation that like applications will be treated similarly.

In noting the above, every application for resource consent must also be considered and assessed on its own merits as is the case with this resource consent. The rules are not made to prohibit activity (unless an activity is actually prohibited) but to require an application for resource consent so that the merits can be fully assessed and it can be determined whether the activity is appropriate.

In this case, there is a risk of setting a precedent, as there are many other sites with the same zoning that could easily accommodate a second residential unit that is contrary to the density rule. There are however some unique characteristics of this application that are not easily replicated, that make the situation somewhat unique. Unique circumstances in this case are that:

- It is unusual for a second residential unit to be attached to another residential unit, making the risk of the site being further subdivided negligible. This is re-enforced by the volunteering of a covenant by the applicant prohibiting further subdivision. This situation is unlikely to be replicated often, as the driver for most applicants seeking a second residential unit would be the ability to subdivide it off.
- The site is very well contained by the local geography, such that the second unit will not be readily visible from any public places. It will appear as a single large residential unit. Again this will not always be the case with other sites in the same zone.
- It is recognised a very similar development could occur as a controlled activity, were the extension to be in the form of a residential flat rather than a residential unit. For a variety of personal reasons, a residential flat was not an option for this applicant as it may be for others.

Generally it is felt that applicants would pursue a residential flay as a controlled activity, rather than a second residential unit as is the case here.

Taking into account the matters above, there is a risk that an undesirable precedent will be set by allowing this application. However the unique circumstances arising with this proposal are unlikely to be replicated elsewhere, suggesting the risk of an undesirable precedent is low.

## **9. DETERMINATION**

### **9.1 Effects on the Environment**

As found in the assessment undertaken in Section 8.1, the proposed development would not result in adverse effects on the environment that are considered to be more than minor.

### **9.2 Effects on Persons**

As found in the assessment undertaken in Section 8.1, the proposed development would not result in adverse effects on persons that are considered to be more than minor.

### **9.3 Objectives and Policies**

As found in the assessment of the proposal against the relevant objectives and policies of the District Plan the proposal is not considered to be contrary to the provisions of the District Plan which looks to provide for rural living as an alternative to suburban living in areas of the District having regard to the provision of appropriate infrastructure/services and to avoid, remedy or mitigate any adverse effects on rural amenity.

### **9.4 Legislative Requirements (section 104D)**

As a non-complying activity the proposal is required to be assessed under section 104D of the RMA.

The first threshold test for a non-complying activity required under Section 104D has been met in that the application is not considered to create actual or potential adverse effects which are more than minor in extent. It is concluded that the application can also pass through the second gateway test given that the proposal is not considered to be contrary to the Objectives and Policies of the District Plan.

On this basis discretion exists to grant consent for this non-complying activity.

### **9.5 Overall Determination**

Given the findings set out in Sections 9.1 – 9.4 above, the application by Geoffrey & Christine Bradley can be granted.

## **10. PART 2 OF THE RESOURCE MANAGEMENT ACT 1991**

Part 2 of the RMA details the purpose of the RMA in promoting the sustainable management of the natural and physical resources. It is considered the development shall be undertaken in a sustainable manner without creating adverse environmental effects. Therefore, it is considered that the proposal is aligned with the Purpose set out in Part 2 of the RMA. As noted in Section 8 above, the proposal will not result in adverse effects to the environment with appropriate conditions of consent.

No matters of national importance listed in Section 6 of the RMA are considered relevant.

Under Part 2 of the RMA, regard must be had to the relevant matters of Section 7 – Other Matters, including:

- (b) *the efficient use and development of natural and physical resources:*
- (c) *the maintenance and enhancement of amenity values:*
- (f) *the maintenance and enhancement of the quality of the environment:*

As outlined throughout this report, the proposal development would maintain amenity values and the quality of the environment experienced by adjacent occupiers and landowners.

Overall, I consider the proposal does promote sustainable management.

## **11. RECOMMENDATION**

### **11.1 RECOMMENDATION ON CHANGE/CANCELLATION OF CONDITIONS PURSUANT TO SECTION 127 OF THE RMA**

Consent be **granted** for the application by Geoffrey & Christine Bradley to change Condition 1 and cancel Condition 8 of resource consent RM120176, such that:

1 Condition 1 of resource consent RM120176 is amended to read as follows (deleted text struck-through, added text underlined):

1. That the development must be undertaken/carried out in accordance with the plans:

#### **a) Aurum Survey Consultants Ltd:**

- 'Topographical Survey Plan of Lot 1 DP 422718 Tucker Beach Rd for Woodlot Properties (Drawing & Issue No. 3074-5T-1A)';
- 'Building Platform RM110704 on Lot 1 DP 422718 Tucker Beach Rd for Woodlot Properties (Drawing & Issue No. 3074-6R-1B)'.

#### **b) Chris Prebble Architects:**

- ~~'Elevations (Sheet No. A04)';~~ Existing Elevations PIM ISSUE dated 04 February 2015;
- ~~'Floor Plan (Sheet No. 1-01)';~~ Existing Floor Plan PIM ISSUE 02 dated 04 February 2015

(stamped as approved on either 9 July 2012 or 6 August 2015)

and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. Condition 8 of resource consent RM120176 is cancelled.

#### Advice note

- All other conditions of RM120176 shall continue to apply.

### **11.2 RECOMMENDATION ON APPLICATION PURSUANT TO SECTION 221 OF THE RMA**

Consent be **granted** for the application by Geoffrey & Christine Bradley to change Condition A.) of Consent Notice 9552013.5, as it relates to Lot 2 Deposited Plan 452311, such that:

1 Condition A.) of Consent Notice 9552013.5 is amended to read as follows:

- A.) *Residential units on Lot 2 shall be contained within the building platform shown as area E on DP 452311.*

*Except in relation to the residential unit plans approved under RM150147*

2 At the time consent is given effect to, the consent holder and Council shall vary the consent notice and shall execute all documentation and attend to the registration of a new or varied consent notice. All costs shall be borne by the consent holder.

Advice note

- All other conditions of Consent Notice 9552013.5 shall continue to apply.

**11.3 RECOMMENDATION ON APPLICATION PURSUANT TO SECTION 88 OF THE RMA**

Land use consent is sought to construct an addition to an existing residential unit that partially extends outside of an approved residential building platform to contain a second residential unit and to undertake associated earthworks and landscaping.

Subject to the recommended conditions of consent, it is considered that any adverse effects can be appropriately avoided or mitigated.

Overall, the proposal is not contrary to the objectives and policies of the District Plan.

In terms of Part 2 of the RMA, the proposal is considered sustainable and consistent with the primary purpose of the RMA, and is therefore considered appropriate.

For the reasons set out in this report, I recommend that the application be approved subject to the conditions discussed in this report. A set of conditions can be viewed at Appendix 1 of the s104 decision.

Report prepared by

Reviewed by



Liz Hislop  
**SENIOR PLANNER**

Blair Devlin  
**RESOURCE CONSENT MANAGER**

<b>Attachments:</b>	<b>Appendix A</b>	AEE
	<b>Appendix B</b>	Submission and withdrawal
	<b>Appendix C</b>	Engineering Report

**Report Dated:** 5 August 2015

**APPENDIX A - AEE**

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## 1.0 THE APPLICANT AND PROPERTY DETAILS

**Site Address:** 4 Healecote Lane, RD 1, QUEENSTOWN

**Applicants Name:** Geoffrey and Christine Bradley

**Address for Service** Geoffrey and Christine Bradley  
C/- Southern Planning Group  
PO BOX 1081  
QUEENSTOWN 9348

ATTENTION: Sean Dent

**Legal Description:** Lot 2 Deposited Plan 452311 (CT – 600010)

**Site Area:** 5,483m<sup>2</sup>

**District Plan Zoning:** Rural Lifestyle Zone

**Brief Description of Proposal:** Extensions to an existing residential unit.

Consent is also sought for associated earthworks and landscaping a variation to a Consent Notice and to QLDC land use consent RM120176.

**Summary of Reasons for Consent:** Resource consent is required for the construction of all buildings within the Rural Lifestyle Zone regardless of whether they are contained within an approved building platform or not. The proposed building sits outside of the approved building platform for the subject site and meets the definition of a second residential unit.

Earthworks in excess of 100m<sup>3</sup>, 2.4 metres in height and 200m<sup>2</sup> in area require resource consent in the Rural Lifestyle Zone.

A variation is also required to the approved building and landscape plans of RM120176.

The following is an assessment of environmental effects that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

## **LIST OF INFORMATION ATTACHED**

<b>Appendix [A]</b>	Site Location Plan
<b>Appendix [B]</b>	Certificate of Title and Legal Encumbrances
<b>Appendix [C]</b>	Chris Prebble Architects Proposed Architectural Plans
<b>Appendix [D]</b>	Chris Prebble Architects Proposed Earthworks Plan
<b>Appendix [E]</b>	Baxter Design Group Landscape Plan

### **Sean Dent**

Resource Management Consultant, Southern Planning Group

Date: 05 March 2015



## **2.0 RESOURCE MANAGEMENT BACKGROUND**

### Resource Management History

The subject site has a complex history of subdivision and land use as outlined below:

Resource consent RM050235 approved the subdivision of Lot 2 DP 323310 into six allotments, including the establishment of five residential building platforms. The subdivision was to be undertaken in two stages, of which only Stage 1 was completed.

Resource consent RM100374 was approved on 21 July 2010 for the subdivision of three existing lots (being Lots 1 and 2 DP 422718 and Lot 2 DP 396997) into five new lots of between 1.001 hectares and 25.8028 hectares, and to undertake earthworks.

This resource consent also sought to relinquish a building platform on proposed Lot 5 of that consent, and instead propose a new building platform on proposed Lot 2 of that consent (being the building platform and site that is the subject of this current resource consent application), such that each of the new lots contained one residential building platform or existing dwelling.

The earthworks resulted in the creation of a level building platform on Lot 2 (being the subject site), and also mitigation mounding north-west of the residential building platform on the subject site. In short, Resource consent RM100374 effectively replaced Stage 2 of RM050235.

Resource consent RM110704 was approved on 23 November 2011, for a variation to resource consent RM100374 which sought to amend the approved subdivision scheme plan, to modify the approved building platform on Lot 2, and to amend the height limit on that platform.

Resource consent RM120176 was granted by the Council on 18 July 2012 and approved the construction of a 304m<sup>2</sup> (inclusive of the double garage) residential unit within the building platform (as was proposed in RM110704). The application contained building plans for a large residential unit comprising four bedrooms, two lounges, an office/study and two kitchens.

The house design was reasonably long extending north to south throughout the building platform. With the internal layout and second kitchen the proposed design was essentially two residential units and the building was able to be completed in two stages.

Accordingly, a hand written note on the building plans in the application stated that the second (southern) stage of the building was "not applied for at this stage."

Further, the AEE submitted with the proposal stated:

*"This application proposes to construct a residential unit with a 568m<sup>2</sup> consented building platform. It is noted that the architectural plans attached to the application show two residential units. This application only seeks approval for one residential unit. The second residential unit will be subject to a further land use application in the future."*

Accordingly, it is my view that RM120176 only approved the existing residential unit that has been constructed on the site and which comprises of one bedroom, a study/office, lounge, kitchen/dining area and a garage.

The applicants bought the property under the premise from the vendor that resource consent had in fact been obtained for the full residential development plans and that they would be able to complete the building of 'stage 2' themselves.

As noted above, this is not the case and this proposal seeks to obtain resource consent approval for the completion of the full residential development.

### 3.0 SITE DESCRIPTION AND SURROUNDS

#### Site Details

The subject site is located on the southern side of Tucker Beach Road with expansive views to the north over the Shotover River and towards Coronet Peak as depicted in Photograph 1 below:



Photograph 1. View from Front Lawn Looking North Towards Coronet Peak Ski Field. Source – Sean Dent 26.02.15

Access to the subject site is gained via Healecote Lane. Turning right off this lane the metal surfaced driveway gently winds its way in to the southern portion of the site.

Mounding screens the site and its vehicle access from views to the south, north east, and northwest creating an extremely private allotment as shown below in Photograph 2.



Photograph 2. View of Access Way and Mounding taken near the South Eastern corner of the Subject Site. Source – Sean Dent 26.02.15

The driveway ceases at an asphalt courtyard and car parking area at the rear of the existing residential unit.

A large proportion of the proposed building area is covered in a metal surface matching the access way and is currently used for informal parking.

The mounding around the side and rear boundaries of the subject site is grassed and a small row of ornamental conifers exist to the south of the existing garage. Small lengths of hedging exist on the upper slopes of the embankment on the north and south western sides of the subject site along with intermittently placed weeping willows.

To the north of the existing residential unit is a hard surfaced outdoor seating area and large flat lawn which near the northern boundary of the site slopes steeply down to Tucker Beach Road. Minor landscaping in the form of ornamental hedging exists around the edge of the outdoor seating area and periphery of the residential unit on this elevation as shown below in Photograph. 3 below.



Photograph 3. Existing Residential Unit Viewed from North Western Corner of the Site. Source - Sean Dent 26.02.15

As detailed above, the subject site contains expansive views predominantly to the north overlooking the Shotover River and Coronet Peak. However, dramatic views are also obtained above the mounding to Slopehill in an easterly direction and the Remarkables Mountain Range Lake Hayes but also afford distant views to the north west of Coronet Peak Ski Area and to the south west with Cecil Peak centred between Slopehill and the Remarkables Mountain Range to the South.

### **Legal Encumbrances**

The subject site is contained within Certificate of Title 600010 which lists a number of encumbrances including private Covenants and Consent Notices. Specifically, the following encumbrances are registered on the title:

- Land Covenant 5023387.13 – This is a private land Covenant that contains design controls and limits to building within residential building platforms. Lot 7 DP 300262 of which the site was once a part of was a dominant tenement and therefore the design controls do not apply to the subject site and this document is irrelevant.
  
- Land Covenant 5104526.9 & its variation 5175566.2 – This is a private land Covenant that again, includes a number of design controls. The subject site is a dominant tenement to these controls and the document is not considered to apply to development on the subject site.

- Land Covenant 5755097.1 – Similarly to those encumbrances above, this is a private land Covenant that includes a number of design controls. The subject site is a dominant tenement and the Covenant controls do not apply to the site and are considered irrelevant.
- Land Covenant 5755097.2 – This is a private Land Covenant prohibiting the planting of vegetation in excess of 2m in height in the area marked 'Z' on DP 324810. No planting is proposed in this area.
- Land Covenant 6653175.1 – This is a private Land Covenant prohibiting residential units, flats and accessory buildings within the area 'AD' on DP 300485. This area is not located on the subject site and the Covenant is therefore not relevant to this proposal.
- Land Covenant 6665653.13 – This a private Land Covenant containing a range of design controls and rules for use of the allotments. The subject site is a dominant tenement and the controls are not relevant to the subject site.
- Land Covenant 6665653.14 – This a private Land Covenant relating to the use of Lot 100 DP 351843 as a Recreation Reserve. This matter is not relevant to the proposal.
- Land Covenant 8096475.12 – This is a private Land Covenant relating to the construction of buildings on Lot 1 DP 452311 to be within the approved building platform. This Covenant does not apply to the subject site.
- Land Covenant 8518760.1 – This is a private Land Covenant preventing planting in excess of 1.5m in height and buildings within the area marked 'B' on DP 426679. The proposal does not contravene this requirement.
- Land Covenant 9552013.11 – This is a private Land Covenant that requires no structures or planting over 1.0m in height in areas 'F' and 'Y' on the title plan. The proposal will not contravene this requirement.
- Consent Notice 5721911.8 – This Consent Notice contains provisions for firefighting water supply and design controls to lots 1 and 2 DP 323310 of which the site was historically a part of. The Consent Notice is not considered to apply to the subject site any more.
- Consent Notice 6665653.9 – This Consent Notice contains provisions regarding building within lot boundaries, only using the vehicle construction constructed at the time of subdivision and making good to road infrastructure caused by development activities on the lot. The proposal will not contravene this Consent Notice.



- Consent Notice 8096475.10 – This Consent Notice contains similar provisions to 6665653.9 above as well as requiring storm water disposal system to be designed at the time a dwelling erected. The proposal will not be contrary to this encumbrance.
- Consent Notice 8137084.2 – This Consent Notice contains controls regarding fencing. The proposal will not be contrary to this Consent Notice.
- Consent Notice 9552013.5 – This Consent Notice applies to the subject site and Part A requires all residential units to be constructed within the approved building platform. Part B requires the max height of all buildings to be 372.25masl. The proposal will comply with the max height but will contravene Part A as part of the proposed building sits outside the approved building platform.

A copy of the Certificate of Title and all the legal encumbrances for the subject site is contained within **Attachment [B]**.

## **4.0 PROPOSAL**

### **Overview**

Land use consent is sought from the Queenstown Lakes District Council to construct extensions to an existing residential unit and to undertake associated earthworks and landscaping.

Consent is also sought to vary Consent Notice 9552013.5 to enable the proposed residential unit to be located in part, outside of the approved residential building platform on the subject site.

A variation is also sought to resource consent RM120176 to vary condition 1 and delete condition 8 such that the requirements of these conditions reflect the changes resulting from this current proposal

Specifically, it is proposed to undertake the following works:

- Construction of a building extension of 200m<sup>2</sup> in area to the south of the existing residential unit. The extension will contain a second kitchen and by definition be deemed a second residential unit;
- Minor alterations to the existing building to accommodate the proposed extensions described above;
- Earthworks comprising a total volume of 340m<sup>3</sup> in volume over an area of 275m<sup>2</sup> and with a maximum height of cut of 3.5m;
- Associated landscaping;
- Variation to Part A, Condition A of Consent Notice 9552013.5 to enable the proposed building extensions to be established outside of the approved building platform;
- A variation is required to resource consent RM120176 to amend the approved building and landscape plans and associated conditions 1 and 8.

### **Proposed Building Extensions**

The proposed building extensions are intended to turn the existing one bedroom residential unit (+ office/study) into an appropriately sized four bedroom family home.

Specifically, the proposal will increase the size of the existing residential unit from 304m<sup>2</sup> in area to 624m<sup>2</sup> in area and result in the addition of three new bedrooms, a second living area, laundry and kitchen.



The proposed extensions will provide sufficient room for the applicants children and grandchildren to visit and stay with them.

The proposed extensions will sit to the south of the existing residential unit and will not exceed a maximum height of 372.25masl or a façade height of approximately 3.4m. Essentially, the proposed extension will match the height of the existing residential unit.

The proposed cladding materials will include rusticated weatherboards to match the existing building, schist veneer, and Europanel fibre cement coloured dark grey to match the existing building and dark grey butynol roofing with colour steel cover flashing to match the existing building.

The window and door joinery will be aluminium coloured 'Gravel', also to match the existing building. The proposed building extensions are detailed in full in the architectural plans prepared by Chris Prebble Architects which are contained in **Attachment [C]**.

As the proposal involves the addition of a second kitchen and laundry, the proposed building extensions will technically be defined as a second residential unit in terms of the Operative District Plan.

While this may be the case, the very nature of the building layout and indeed the layout of the subject site and its parking and outdoor living areas does not facilitate the proposed extensions to be used as a separate household unit. Neither is the intention of the applicant.

As described above, the existing residential unit comprises only one bedroom and an office/study. It is not commensurate with the size of other residential units / family homes in the immediate area or wider District and the proposed extensions are genuinely sought to achieve a much more viable residence for the applicants and their family.

### **Proposed Alterations to the Existing Residential Unit**

The proposed alterations to the existing residential unit are minor in nature. Specifically, they involve the removal of the existing door and window on the west elevation of the garage and the removal and stepping back of a 2.4m long section of the existing garage in the south western corner.

A small toilet window is proposed to be removed from the southern elevation of the existing house. All the proposed alterations are to facilitate the proposed building extensions which will 'cover' these areas.

The proposed alterations to the existing building are also depicted on the architectural plans contained within **Attachment [C]**.

### **Proposed Earthworks**

As depicted on the architectural site plan, the proposed building extension will require excavation of the existing topography/embankment to the west of the proposed building.

This area can be seen in Photograph 4 below with the two red tipped profile poles depicting the western extremities of the proposed building extension:



Photograph 4. Looking North West at the Building Extension and Earthworks Area. Source – Sean Dent 26.02.15

The proposed excavation will involve 340m<sup>3</sup> of cut which will be removed off the subject site to an approved fill site. The maximum depth of cut will be approximately 3m.

The earthworks are depicted on an earthworks plan prepared by Chris Prebble Architects and contained within **Attachment [D]**.

### **Proposed Landscaping**

The landscaping approved as part of the underlying RM120176 resource consent was minimal and essentially specified a small amount of flax planting on the eastern side of the existing residential unit and building platform. This planting has not been implemented at present.

As part of this current proposal the applicants have engaged Baxter Design Group to prepare a more comprehensive landscape plan for the subject site.

It is now proposed to establish reasonably extensive planting throughout the site. To the north this includes mixed native ground cover on the bank to the north of the site above Tucker Beach Road.

To the east, a 1.8m high hornbeam hedge is proposed along the edge of the driveway/courtyard, planting of small feature trees such as crab apple on the embankment with seasonal bulb plantings underneath. Raised planter beds are proposed adjacent to the existing patio and feature trees in the courtyard and entry areas.

To the west, a shade garden of ferns is proposed along with ground cover plants for bank stabilisation above a small 1m high schist wall that will wrap around the rear of the house.

To the south, avenue tree planting will extend down the driveway toward Healecote Lane.

A copy of the proposed landscape plan is contained within **Attachment [E]**.

### **Proposed Variation to Consent Notice 9552013.5**

Condition A in Part A of Consent Notice 9552013.5 currently states:

"A.) *Residential units on Lot 2 shall be contained within the building platform shown as area E on DP 452311.*"

It is proposed to amend the wording of this condition such that it reads as follows:

"A.) *With the exception of the building extensions approved by QLDC resource consent RM1500??, r**Residential units on Lot 2 shall be contained within the building platform shown as area E on DP 452311.*"

### **Proposed Variation to RM120176**

Because the proposal involves alterations to the approved building and landscape plans in RM120176 technically, a variation is required to accommodate the changes sought in this new proposal.

Specifically, it is proposed to vary and delete conditions 1 and 8 of RM120176. These conditions currently read as follows:

1. That the development must be undertaken/carried out in accordance with the plans:

**a) Aurum Survey Consultants Ltd:**

- 'Topographical Survey Plan of Lot 1 DP 422718 Tucker Beach Rd for Woodlot Properties (Drawing & Issue No. 3074-5T-1A)';
- 'Building Platform RM110704 on Lot 1 DP 422718 Tucker Beach Rd for Woodlot Properties (Drawing & Issue No. 3074-6R-1B)'.

**b) Chris Prebble Architects:**

- 'Elevations (Sheet No. A04)';
- 'Floor Plan (Sheet No. 1-01)';

**(stamped as approved on 9 July 2012)** and the application as submitted, with the exception of the amendments required by the following conditions of consent.

8. The approved landscape plan shall be implemented within the first planting season from completion of construction. Landscaping shall thereafter be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased it shall be replaced in the next available planting season.

It is proposed to amend the abovementioned conditions of consent as follows:

1. That the development must be undertaken/carried out in accordance with the plans:

**a) Aurum Survey Consultants Ltd:**

- 'Topographical Survey Plan of Lot 1 DP 422718 Tucker Beach Rd for Woodlot Properties (Drawing & Issue No. 3074-5T-1A)';
- 'Building Platform RM110704 on Lot 1 DP 422718 Tucker Beach Rd for Woodlot Properties (Drawing & Issue No. 3074-6R-1B)'.

**b) Chris Prebble Architects:**

- ~~'Elevations (Sheet No. A04) Existing Elevations PIM ISSUE 03 dated 04 February 2015'~~;
- ~~'Floor Plan (Sheet No. 1-01) Existing Floor Plan PIM ISSUE 02 dated 04 February 2015'~~;

(stamped as approved on 9 July 2012 ~~and ?? March 2015~~) and the application as submitted, with the exception of the amendments required by the following conditions of consent.

- 8. ~~The approved landscape plan shall be implemented within the first planting season from completion of construction. Landscaping shall thereafter be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased it shall be replaced in the next available planting season.~~

### **Proposed Infrastructure and Servicing**

Council reticulation for potable water, and sewage has been extended to the subject site and there is existing access to these services for the residential unit constructed on the site. The proposed building extensions will connect into these same services.

Storm water will be disposed of on site and will be addressed through the building consent process.

Power and phone reticulation was provided to the subject site as part of the underlying subdivision consent that created the allotment.

The subject site has existing vehicle access via Healecote Lane and enters the subject site from its south western boundary. The existing two garage will remain on site as part of this proposal and there is sufficient space for a further three car parks on the existing asphalt forecourt.

## 5.0 DISTRICT PLAN RULES ASSESSMENT

### Statutory Provisions

#### Queenstown Lakes Operative District Plan

The subject site is located within the Rural Lifestyle Zone of the Queenstown-Lakes Operative District Plan.

In terms of the relevant provisions of the Operative District Plan, the proposal requires resource consent for the following matters:

#### RURAL LIFESTYLE ZONE

- A **Non-Complying Activity Consent** pursuant to Rule 8.2.2.4(vi) whereby the construction of a residential unit outside of an approved residential building platform in the Rural Lifestyle Zone is a Non-Complying Activity;
- A **Restricted Discretionary Activity Consent** pursuant to Site Standard 8.2.4.1(x)(1)(a) whereby the maximum volume of earthworks undertaken within the subject site in any consecutive 12 month period will exceed 100m<sup>3</sup> in volume. It is proposed to undertake 340m<sup>3</sup> of earthworks on the subject site;
- A **Restricted Discretionary Activity Consent** pursuant to Site Standard 8.2.4.1(x)(1)(b) whereby earthworks with an average depth of more than 0.5m will exceed 200m<sup>2</sup> in area. Earthworks are proposed over 275m<sup>2</sup> of the subject site.
- A **Restricted Discretionary Activity Consent** pursuant to Site Standard 8.2.4.1(x)(2)(b) whereby the maximum height cut will exceed 2.4m. It is proposed to have a maximum cut height of 3m.

#### RESOURCE MANAGEMENT ACT 1991 CONSIDERATIONS

- A **Discretionary Activity Consent** is required pursuant to Section 223(1) of the Resource Management Act 1991 to vary condition (A) of Consent Notice 9552013.5. This variation is necessary to authorise the proposed breach of the building outside of the approved building platform.
- A **Discretionary Activity Consent** is required pursuant to Section 127(3) of the Resource Management Act 1991 to vary and delete conditions 1 and 8 respectively of RM120176.

NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

All applications for resource consent need to be determined if they apply under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health ("NES"). We have undertaken a review of the property information for the subject site and make the following assessment:

Under these regulations, land is considered to be actually or potentially contaminated if an activity or industry on the Hazardous Activities or Industries List (HAIL) has been, or is more likely than not to have been, undertaken on that land.

Therefore, the NES only applies to land that is potentially or actually affected by contaminants because of its historical and/or current use and the types of activities previously undertaken on the site. The land use history is therefore the trigger for determining whether land is considered by the NES.

After a review of the aerial imagery available to us and a review of the Queenstown Lakes District Council and Otago Regional Councils property information we have made an assessment of the subject site under the NES and reach the following conclusions:

1. The overall site would historically have been used as part of a larger pastoral farming operation however there is no evidence to suggest that the land contained within the subject site included a use on the HAIL list such as sheep dip or agricultural chemical storage. Given the topography of the subject site it is highly unlikely such features would have been constructed in this location.
2. A review of the QLDC property information available on E-Docs and the ORC property information registered against the subject site do not identify any hazardous activities or buildings which may have contained such activities i.e. woolsheds, implement sheds, sheep/cattle yards that are likely to have occurred on the subject site.
3. Based on this research it is highly unlikely that there will be a risk to human health if the proposed activity proceeds.

Accordingly, the proposal is considered to be a Permitted Activity pursuant to this National Environmental Standard.

Overall, the proposal is deemed to be a Non-Complying Activity.

## 6.0 RESOURCE MANAGEMENT ACT 1991 ASSESSMENT

### **Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity**

It is considered that the proposed activity will not result in any significant adverse effects on the environment. Any effects there are, will be adequately remedied and mitigated. Alternative locations are therefore not considered necessary.

### **An assessment of the actual or potential effects on the environment of the proposed activity.**

This assessment has taken into consideration the following matters specified in Clause 7 of Schedule 4 of the Resource Management Act 1991.

The proposed development will have the following actual and potential effects on the environment:

- Existing Environment/Permitted Baseline
- Effects on Landscape and Visual Amenity Values
- Effects of Second Residential Unit on Domestication of the Landscape
- Effects of the Proposed Earthworks
- Effects on Natural Hazards
- Effects on Infrastructure and Servicing

In addressing the overall potential effects of the proposal as outlined above, consideration has been given to the Assessment Matters that are contained within Part 8.3 of the District Plan and specifically those that address landscape and amenity values and buildings in the Rural Lifestyle Zone.

### **Existing Environment/Permitted Baseline**

It is my understanding that the Permitted Baseline provides a consent authority discretion to disregard the adverse effects of an activity that is permitted by a National Environmental Standard or the District Plan.

In regards to the subject site, I note that certain earthworks and landscaping can be undertaken on the subject site without resource consent. However, all buildings regardless of whether they are contained within an approved residential building platform, require resource consent as a Controlled Activity at the very least.

As the applicant proposes earthworks on the subject site not significantly beyond the 100m<sup>3</sup> per annum provided for by the Operative District Plan it is considered that is a relevant baseline to consider along with landscaping of the subject site.



As all buildings necessitate resource consent, it is my opinion that there is no relevant Permitted Baseline with respect to buildings on the subject site.

What is relevant to the consideration of the effects of the current proposal is the existing environment. I understand that this includes what exists together with unimplemented consents which are likely to be implemented.

There are no resource consents registered against the subject site which are likely to be implemented. However, the existing environment includes the existing residential unit, landscaping, access and vehicle movements.

Accordingly, the proposed residential unit, associated earthworks and landscaping will not be isolated domestic elements within the landscape. They will essentially be an 'infill' of the existing allotment and the remainder of the underdeveloped residential building platform.

This should be taken into consideration in the assessment of effects of the proposal.

### **Effects on Landscape and Visual Amenity Values**

The proposal is not considered to have any significant adverse effects on landscape and visual amenity values. There are a number of reasons for this statement.

First, due to its Rural Lifestyle Zoning there is an expectation or anticipation that there will be a residential unit constructed on the subject site at some point. The current approved building platform is 'underutilised' in that a large proportion of it to the south has not been built within.

Rather, a small residential unit has been constructed at the northern end of the building platform. Construction of a building of that size proposed by the applicant if the extensions are approved is not uncharacteristic in this part of Tucker Beach Road.

Residential units in the vicinity of the subject site are often several hundred metres in floor area and make use of much larger 1000m<sup>2</sup> building platforms when compared to the applicants building platform of 448m<sup>2</sup>.

Accordingly, the proposal is considered to be in keeping with the Rural Lifestyle character and amenity of the area despite the proposed extensions significantly increasing the size of the existing residential unit.

Further, as described above the existing residential unit is constructed on the northern end of the approved residential building platform with expansive views to the north over the Shotover River and towards Coronet Peak.

The south, east and western sides of the subject site are well screened by existing mounding. As such, with the proposal for the extensions to maintain the maximum height of the existing residential unit



at 372.25masl it will be very difficult for the proposed built form to be viewed from outside the subject site.

Photograph 5 below depicts the top of the profile poles on the western corners of the proposed extension in comparison to the roof line of the existing residential unit.



Photograph 5. View from South Western Corner of Proposed Building Extension Looking North. Source – Sean Dent 26.02.15

Essentially, when viewed from the north (the only open or exposed elevation of the subject site) the proposed building extensions will be largely contained behind the existing dwelling.

From the adjoining neighbour to south, the views to Coronet Peak and other mountain peaks to the north east will not be impinged by the proposal. An addition to the area of flat roofing may be perceptible but the difference when compared to containing the built form entirely within the approved building platform is considered to be negligible.

From the north east looking back towards from the site from Lower Shotover and Domain Roads it will be possible to notice a difference in the size of the built form on the subject site. However, at distances of approximately 1004m and 910m respectively it is considered that this increased bulk will be a less than minor visual effect.

As photograph 6 below illustrates, the subject site is part of a wider vista of Rural Lifestyle properties when viewed from these roads and residential properties in the vicinity. Large rural dwellings are common within this vista and the proposed extensions are not considered to significantly exacerbate the visual effects of built form within this landscape.

Further, and as detailed above, the applicant could construct extensions entirely within the approved residential building platform. The visual effects when viewed from the abovementioned locations would be almost identical as the largest infringement outside of the platform occurs on the south western elevation.

The infringements to the east are at most 1.5m outside of the platform and therefore the difference in visual effects between a controlled activity building and that proposed within this application will be negligible when viewed from such distances.



Photograph 6. View from Lower Shotover Road. Existing Residential Unit visible Above Wooden Fence Post and below Willow Trees. Source – Sean Dent 26.02.15

Part of the reason that the proposed built form will be difficult to discern in the above vista is that the applicant proposes to utilise the same recessive cladding and roofing materials and colours as were used on the existing residential unit.

Further, the proposed landscaping will also aid in screening the built form when viewed from these locations.

Overall, the introduction of additional built form on the subject site and in particular, outside of the approved residential building platform will have negligible adverse effects on landscape and visual amenity.

This is predominantly due to the fact that while the proposal will introduce additional built form onto the landscape the subject site is already screened to a much greater extent than would normally be

expected for the Rural Lifestyle. The proposed built form is truly subservient to the wider landscape and visual amenity values of the area.

### **Effects of Second Residential Unit on Domestication of the Landscape**

By definition in the District Plan the proposed building extensions will constitute a second residential unit. This is because both the existing residential unit and the proposed extensions will contain a laundry and a kitchen.

Potentially, this setup would enable two individual household units to exist and undertake residential activities on the subject site.

The possible adverse effects are primarily visual i.e. that the domestic element on the site would be exacerbated with additional clotheslines, outdoor living areas, trampolines and other children's recreational paraphernalia.

Additionally, two separate household units could result in an increase in traffic generation and subsequent effects on amenity for surrounding landowners.

It is not considered that any of the above mentioned potential adverse effects will arise at the subject site as a result of this proposal.

First, it is clear the proposed building extensions (second residential unit) are just that – an extension of the existing residential unit. As detailed above, the existing residential unit contains only one master bedroom and a study/office. The remaining area consists of communal living areas.

Accordingly, in its current state the existing residential unit is not a practical 'family home'. Specifically, the applicants have expressed that when their children and grandchildren visit they must setup temporary beds in the lounge and/or use the lounge suite to sleep on as there are insufficient bedrooms in the existing house.

It is clear that there is a genuine need to extend the house to provide a more practical living environment. Further, while the extensions may be deemed a second residential unit they will be attached to and become an integral component of the overall residential unit.

This is clearly demonstrated by the primary outdoor living space continuing to exist at the front or northern elevation of the built form because it is intended for it to operate entirely as a single household unit.

Additionally, the proposal incorporates the existing double garage directly in between the 'residential' units and the outdoor parking all located near the existing residential unit on its eastern elevation.

Accordingly, given the above, renting the proposed extension out to a second household of people is simply not a practical exercise and it is considered fanciful.

However, consideration has been given to the possibility that this did occur. In this regard, it is considered that the visual effects and potential for 'over domestication' of the subject site would be less than minor.

As detailed above, the subject site is screened very well from views to the south, east and west. The proposed extensions will be located behind the existing residential unit and largely imperceptible from outside of the site.

Accordingly, any additional domestic elements such as additional vehicles, clotheslines etc. would not be visible from the subject site.

Further, the potential for an additional 8 vehicle movements per day for an additional residential unit would have a negligible effect on the amenity of adjoining residents. The access to the subject is screened entirely from neighbouring properties by existing mounding.

This will reduce the visibility of additional vehicle movements, reduce the noise emitted from vehicles traveling and manoeuvring on this access way and mitigate the potential of head light beams sweeping over neighbouring properties.

Due to the secluded nature of residential units located off the lower portion of Helacote Lane it is considered that these potential effects on those properties will also be less than minor.

In addition, it is noted that the applicant could as a Controlled Activity construct a residential flat within the existing building platform. It is considered that a well-designed residential flat could easily be rented out and used by a separate household.

Such a scenario would result in comparable level of effect in terms of domestication of the subject site as will the proposed extensions that are deemed by definition, to be a second residential unit.

Further to the above, if the applicant ever had a desire to subdivide the subject site and create two separate allotments out of the existing residential unit and proposed extensions (which is considered fanciful) consent would be required as a Non-Complying Activity and as such could be refused by the Council if the adverse effects of such a proposal were considered more than minor.

Overall, it is considered that the potential adverse effects of 'over domestication' on the subject site by creating a second residential unit are comparable to the effects of a Controlled Activity residential flat, and due to the topography and screening of the subject site, certainly less than minor in this circumstance.

### **Effects of the Proposed Earthworks**

The proposed earthworks will have a less than minor effect on the environment. There will be the potential for temporary nuisance effects such as dust emissions and silt/sedimentation run-off. It is considered that these potential effects can be adequately mitigated through standard earthworks conditions requiring mitigation measures to be installed prior to and throughout the duration of earthworks.



Mitigation measures may include the use of sprinklers to dampen areas of exposed soil as required and the installation of silt fences/hay bales to trap any run off on the down-hill side of the earthworks area.

It is proposed that the following condition of consent be imposed to ensure that such measures are employed:

*“That the consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and ‘A Guide to Earthworks in the Queenstown Lakes District’ brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.”*

It is proposed that all earthworked areas will be planted/permanently stabilised within a very short timeframe of them having commenced. However, it is acknowledged that there will need to be some certainty that these areas are stabilised within a specified timeframe. Accordingly, the following condition of consent is proposed:

*“The consent holder shall ensure that the cut batter slopes and all other exposed areas of soil are permanently re-vegetated/stabilised within 8 weeks following completion of the earthworks.”*

There may be temporary adverse visual effects of the cut batters when viewed from distant locations to the north and east of the subject site as per photograph 6 above. However, these effects will be less than minor from such a distance and will be temporary in nature – being covered by the proposed building extensions.

Subject to the imposition of the above mentioned conditions of consent it is considered that the potential adverse effects of the proposed earthworks will be a temporary nuisance effect and will be less than minor.

### **Effects on Natural Hazards**

The subdivision application RM100374 identified that the building platform on the subject site is located within an area identified as being possibly susceptible to seismic liquefaction.

Council’s engineer Ms Lynette Overton assessed resource consent RM100374 and no concerns were raised with regard to hazards<sup>1</sup>.

Only minor earthworks are required to site the proposed extensions in the location proposed and as

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<sup>1</sup> Reasons for Decision – RM120176 page 5.

such, the proposed earthworks are not considered to result in any adverse effects in regard to land stability.

Overall, adverse effects in terms of natural hazards will be less than minor.

### Effects on Infrastructre and Servicing

As identified above, reticulated water and sewerage systems are already provided to the subject site at the south western corner of site as depicted in the plan below. It is proposed to connect the proposed building extension to these existing services.



Figure 1 – Services Plan for Subject Site. Source – QLDC Website 02.03.15

Storm water will also be disposed of via soak pits and all service connections will be assessed and approved as part of the building consent process for the proposed extensions.

Access to the subject site will be provided via the existing chip seal surfaced Healecote Lane and private metal drive way from the sites south western boundary.

On-site car parking will be provided by way of a two car garage with additional parking space for three further vehicles and ample manoeuvring room provided in the existing forecourt. The proposed parking and access meets the District Plans requirements for two residential units.

Power and telecommunication services were provided to the subject site as part of the original subdivision consents that created the site.

Earthworks and construction will require the operation of heavy machinery and truck access to and from the site. It is expected that all unloading of the truck will be undertaken within the site, which will mitigate the safety effects to other road users.

In addition, the noise effects will be typical to those experienced in most earthworks operations. Any effects of earthworks and construction will be temporary, will be kept to reasonable hours subject to anticipated standard conditions of consent, and will have a less than minor effect on traffic in general.

Overall, the subject site is considered to be adequately serviced by the existing reticulated infrastructure and that which is proposed to be established in this application. Accordingly, the potential adverse effects on infrastructure and servicing will be less than minor.

Overall the proposal is considered to have effects on the environment that are less than minor.

**Where the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use**

Not applicable.

**Where the activity includes the discharge of any contaminant, a description of:**

- 1. The nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects; and**
- 2. Any possible alternative methods of discharge, including discharge into any other receiving environment.**

Not applicable.

**A description of the mitigation measures (safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce actual and potential effects:**

In addition to the standard resource consent conditions anticipated and those proposed within the body of this application, no other mitigation measures are necessary in addition to those incorporated into this proposal.

**An identification of those persons interested in or affected by the proposal, the consultation undertaken, and any response to the views of those consulted.**

Rural Lifestyle development is anticipated on the subject site. The applicant proposes appropriate conditions of consent to mitigate and ensure that any potential adverse effects on the wider environment will be less than minor.

The potential adverse effects of the proposed building extensions / second residential unit, and the associated works are considered to have effects on the adjoining neighbours that are less than minor.

Accordingly, there are no parties deemed adversely affected by this proposal.

**Where the scale or significance of the activities effects are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom.**

No monitoring is required other than standard conditions of consent.



## 7.0 SECTION 104 (1)(b) ASSESSMENT

The assessment includes an assessment of the activity against—

- (a) any relevant objectives, policies, or rules in a document; and
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

The following are considered to be the relevant Objectives and Policies of the District Plan:

### **Objective 1 – Rural Living**

#### ***Establishment of low density rural living managed and contained in both extent and location.***

- 1.1 *Identify areas for rural living activity having regard to the self-sufficiency of water and sewerage services.*
- 1.2 *Recognise and provide for rural living development.*

The proposal is considered to align with this objective and supporting policies. The subject site is situated within an established Rural Lifestyle Zone that provides for low density rural living. The proposed building extensions are contained in extent and location through the existing topography that screens the site on the west, east and south elevations.

The proposed building extensions are located in an area where self-sufficiency for services is no longer required as the subject site and the immediate environment is suitably serviced by reticulated infrastructure.

The proposal is fully consistent with Policy 1.2 as the application if granted, will provide for rural living development and specifically, for a sufficiently sized 'family home' to be established on the site.

### **Objective 2 – Rural Amenity**

#### ***Avoiding, remedying or mitigating adverse effects of activities on rural amenity.***

- 2.2 *Remedy or mitigate adverse effects of activities, buildings and structures on visual amenity.*
- 2.3 *Ensure residential dwellings are set back from property boundaries, so as to reduce adverse effects from activities on neighbouring properties.*
- 2.4 *Avoid the location of buildings and water tanks on skylines and ridges and in the Rural Residential zone at the north of Lake Hayes, on prominent slopes.*

The proposal is considered to align with this objective and policies through the appropriate siting of the building into the sites topography, maintenance of a low height limit and use of recessive cladding materials and colours.

## 8.0 AN ASSESSMENT OF THE ACTIVITY AGAINST MATTERS IN PART 2

The purpose of the Act is "to promote the sustainable management of natural and physical resources". Section 5(2) of the Act defines "sustainable management" as:

*"Section 5*

*"managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –*

*a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*

*b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*

*c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment".*

In my opinion the proposal will help the applicants provide for their and their families wellbeing through enabling the construction of reasonable sized family home on the subject site. The current one bedroom / one study residential does not adequately achieve this at present.

The proposal will not adversely affect the life supporting capacity of air, water and ecosystems and through the sympathetic building design and significant screening afforded to the subject site, the potential adverse effects on the environment (largely visual effects) will be avoided or mitigated.

I therefore consider that the proposal is consistent with the purpose of the Act.

Sections 6 and 7 of the Act

There are in my opinion no matters of national importance in Section 6 of the Act requiring scrutiny in this case.

In terms of Section 7 of the Act which refers to other matters that shall be given particular regard to, I consider the following to be relevant:

- (c) The maintenance and enhancement of amenity values:

In my opinion, the proposal will maintain the amenity values and quality of the environment expected within the Rural Lifestyle Zone.

The proposal will be in keeping with the character of existing rural living development in the immediate area and will not result in cumulative effects of a scale that would detract from the amenity and quality of the environment.

## 9.0 CONCLUSIONS

Land use consent is sought from the Queenstown Lakes District Council to construct extensions to an existing residential unit and to undertake associated earthworks and landscaping.

Consent is also sought to vary Consent Notice 9552013.5 to enable the proposed residential unit to be located in part, outside of the approved residential building platform on the subject site.

A variation is also sought to resource consent RM120176 to vary condition 1 and delete condition 8 such that the requirements of these conditions reflect the changes resulting from this current proposal

Specifically, it is proposed to undertake the following works:

- Construction of a building extension of 320m<sup>2</sup> (inclusive of a carport) in area to the south of the existing residential unit. The extension will contain a second kitchen and by definition be deemed a second residential unit;
- Minor alterations to the existing building to accommodate the proposed extensions described above;
- Earthworks comprising a total volume of 340m<sup>3</sup> in volume over an area of 275m<sup>2</sup> and with a maximum height of cut of 3m;
- Associated landscaping;
- Variation to Part A, Condition A of Consent Notice 9552013.5 to enable the proposed building extensions to be established outside of the approved building platform;
- A variation is required to resource consent RM120176 to amend the approved building and landscape plans and associated conditions 1 and 8.

An assessment of the actual or potential effects of the proposal has been undertaken. Based on this assessment, it is considered that pursuant to Section 95A of the Resource Management Act 1991 ("the Act") this application can be processed without public notice as the proposed activity is not likely to have adverse effects on the environment that are more than minor, and further, there are no special circumstances that warrant public notification.

Pursuant to Section 95B of the Act, it is considered that the application can be processed on a non-notified basis as the activity will not have adverse effects that are minor or more than minor on any person.

Subject to Part 2 of the Act, the application has been considered in terms of applicable matters within the context of Section 104 of the Act.

Overall, it is considered that the proposal is consistent with the purpose and principles of the Act.

**APPENDIX B - SUBMISSION AND WITHDRAWAL**





# FORM 13: SUBMISSION

ON A RESOURCE CONSENT APPLICATION



Resource Management Act 1991 Section 96

**TO** // Queenstown Lakes District Council

**YOUR DETAILS** // Our preferred methods of corresponding with you are by **email** and **phone**.

Name: Peter and Robyn Ireland

Phone Numbers: Work: N/A      Home: 03 4511046      Mobile: 02102855540

Email Address: pjirai@gmail.com

Postal Address: 204 Tucker Beach Road  
RD1  
Queenstown      Post code: 9371

**APPLICANT DETAILS**

Applicant's Name: Geoffrey and Christine Bradley

Application Reference Number: RM150147

Details of Application:

Consent is being sought to extend an existing dwelling and construct a second residential unit that partially extends outside an approved residential building platform, and to undertake associated earthworks and landscaping.

Consent is also being sought to vary a condition of Consent Notice 9552013.5.

Location of Application:

4 Healecote Lane, Queenstown

**SUBMISSION**

Support /  **Oppose** the application

**Do** /  **Do not** wish to be heard in support of my submission

**SIGNATURE**

Signature (to be signed for or on behalf of submitter) \*\* *Peter Ireland* *Robyn Ireland*

Date 3 June 2015

\*\* If this form is being completed on-line you may not be able, or required, to sign this form.





## MY SUBMISSION IS // The particular parts of the application I support or object to are:

Whilst we do not object to the overall plan to "extend" the existing dwelling we do object to any consents being given without an adequate stormwater drainage plan being agreed by suitably qualified Engineers which will ensure no further stormwater encroaches onto our property via the drains from the south side of Tucker Beach Road. We already get water flow through the under road stormwater drain towards the eastern end of our property and wish to ensure no further water will flow through the drain.



## THE REASONS FOR MY SUBMISSION ARE:

In the last 3 years there have been houses constructed at 193 and 195 Tucker Beach Road with a resultant substantial increase in storm water flowing onto our property via stormwater drains under the road from the south side of Tucker Beach Road. We have had two land slippages in the past 3 years - one a substantial slippage from the top terrace in the area from which water flows under the road via one of the drains directly opposite 193 Tucker Beach Road incurring expenses above \$10,000 to clean up after these events. We still receive substantial amounts of water through these storm water drains even with very moderate rainfall (sub 10 mm of rain in 5-6 hours). We have had to build more soak pits and drainage systems to control the water. Prior to the buildings on the south side of Tucker Beach Road it took over 25 mm of rain in less than 12 hours to get water flowing through these drains in the storm water volumes we now see occurring with much lower rainfall.

When land is left in its raw state much of any heavy rainfall is absorbed into the land and finds its own way via sub terranean springs etc. When Buildings are placed on the land they concentrate a substantial amount of rainwater via collection from roofs and other hard surfaces such as driveways. They also interrupt natural springs which are also then diverted into the soak pits. Soak pits have proved inadequate and generally they just slow down the movement of concentrated water flows. Where the applicants are showing a soakpit on one of the plans would most likely result in seepage out into the roadside open stormwater and into the drain onto our property.

This issue has been discussed with the QLDC Chief Engineer Ulrich Glasner and he has acknowledged that the increased water flows onto our property is an issue which needs addressing and he is looking at council options. David Broomfield has submitted an application to further subdivide land on the south side of Tucker Beach Road and after looking at the impact of the water on our land has included in his submission a proposal to pipe stormwater from these properties to the river.



## MY SUBMISSION WOULD BE MET BY THE QUEENSTOWN LAKES DISTRICT COUNCIL MAKING THE FOLLOWING DECISION // Include any conditions sought:

Approving the application with either:

1. conditions which ensure NO further water flows through onto our property (and in reality it should not flow onto any other property). Engineers should certify the size and operation of soak pits if that is deemed a solution however they are not a solution but merely a stop gap in times of heavier rain. We note that the submission suggests a stormwater plan will be developed for submitting with the Building Consent request, however we believe the stormwater plan must be agreed with the Resource Consent.
2. accelerating any council plan to correctly trap the stormwater where these new developments are occurring along the south side of Tucker Beach road into a closed stormwater pipe and pipe it to the river.



## **Louise Powell**

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**From:** Peter and Robyn Ireland <pjirai@gmail.com>  
**Sent:** Saturday, 18 July 2015 12:11 PM  
**To:** Blair Devlin; Liz Hislop  
**Cc:** Ulrich Glasner; Sean Dent  
**Subject:** RM150147 Geoffrey and Christine Bradley

Following a meeting with David Broomfield, Ulrich Glasner and other QLDC staff there has been agreement as to solving the stormwater issues at the Eastern end of our property (204 Tucker Beach Road). Our objection to the above resource consent application was based on additional stormwater flow onto our property which should now be alleviated by the proposed solution.

Therefore we wish to withdraw our objection to resource application RM150147.

Regards

Peter and Robyn Ireland

Home +64 (0) 3 451 1046  
Peter Mobile +64 (0) 21 028 55540  
Robyn Mobile +64 (0) 21 028 45082

204 Tucker Beach Road  
RD1  
Queenstown 9371  
NEW ZEALAND

**APPENDIX C - ENGINEERING REPORT**





# ENGINEERING REPORT

**TO:** Adonica Giborees

**FROM:** Carolyn Gris 

**DATE:** 04/08/2015

APPLICATION DETAILS	
REFERENCE	RM150147
APPLICANT	G and C Bradley
APPLICATION TYPE & DESCRIPTION	Land Use consent is sought to construct an addition to an existing residential unit that will partially be outside of an approved residential building platform, and to undertake associated earthworks and landscaping.
ADDRESS	4 Healecote Lane, Queenstown
ZONING	Rural Lifestyle
LEGAL DESCRIPTION	Lot 2 DP 422718
SITE AREA	5,483m <sup>2</sup>
ACTIVITY STATUS	Non complying

Application	Reference Documents	QLDC's 'A Guide to Earthworks in the Queenstown Lakes District' brochure.
	Previous Relevant Consents	RM120176
	Date of site visit	N/A

## Location Diagram



Comments		
<b>Existing Use</b>	Existing Rural Lifestyle residential building. This consent application is for a proposed addition to this building.	
<b>Topography/Aspect</b>	The proposed building extension will require excavation of the existing embankment to the west of the proposed building.	
<b>Water Bodies</b>	None in close proximity to the proposed earthworks.	

ENGINEERING		COMMENTS	Condition
TRANSPORT	Access	<p>Parking</p> <p>There is an existing two car garage and additional parking space is available for three more vehicles with ample room for manoeuvring.</p> <p>The surface is gravel, and the gradient is quite flat.</p> <p>I am satisfied that the parking design complies with QLDC requirements.</p>	
	Access	<p>Means of Access</p> <p>Access to the site is from Healecote Lane, which has a chip sealed surface. The drive way enters the site at the southwestern part of the property, and has a gravel surface.</p> <p>The access and vehicle crossing were constructed prior to the original building construction, and no changes are proposed. I am satisfied that the access for the site with the proposed building extension will still comply with QLDC requirements.</p>	

ENGINEERING		COMMENTS	Condition	
EARTHWORKS	Extent	Description	The site begins to slope up at the southwest corner, and as such the proposed building extension will require some excavation, with a maximum cut height of 3 m. As no fill material is required, this excavated material will be disposed of off-site.	
		Cut /Fill Volume (m <sup>3</sup> )	Cut volume: 340 m <sup>3</sup>	
		Total Volume (m <sup>3</sup> )	340 m <sup>3</sup> (cut material will be transferred off site)	
		Area Exposed (m <sup>2</sup> )	275 m <sup>2</sup>	
		Max Height Cut/Fill (m)	The AEE states that the max height of cut is 3.5m. The earthworks plan states 3.0m. Based on the contours and allowing a 150mm floor slab, it is most likely that the AEE is incorrect and the max depth of cut is 3m.	
		Prox. to Boundary	The height of the proposed cut is less than the distance from the property boundary therefore the proposed works comply with Council's standards.	
		Prox. to Water	The earthworks are not in close proximity to any natural water course.	

ENGINEERING		COMMENTS	Condition	
EARTHWORKS	Stability	Geotech assessment by	Not considered necessary.	
		Report reference	N/A	
		Rock breaking	None expected or proposed.	
		Rock blasting	None expected or proposed.	
		Preconstruction survey	Not considered necessary.	
		Retaining	A new 1 m high schist wall is proposed at the southwestern corner of the property. This wall is described as a retaining wall on the landscaping plans. As the retaining is less than 1.5 m in height and is not subject to surcharge loads a building consent is not required.	
		Recommendations on cut/batter slopes	The cut slopes shown on the architectural plans are approximately 1H:1V, it is considered that these slopes are self-supporting. Care should be taken to ensure the slopes are re-vegetated in a timely manner to reduce the effects of erosion.	
		Fill certification/specific foundation design required	None required.	
		Engineers supervision	N/A	
		Uncertified fill covenant	N/A	
	Schedule 2a Certificate	N/A		
	Clean fill only	N/A		
	Site Management	Report reference	A condition of consent is recommended to ensure the proposed earthworks are undertaken in accordance with 'A Guide to Earthworks in the Queenstown Lakes District' brochure.	Y
Specific sedimentation management		A condition of consent is recommended to ensure sedimentation is adequately controlled within the site.	Y	
Specific stormwater management		The proposed works are not expected to alter stormwater flows in a way that will adversely affect neighbouring properties.		
Neighbours		The recommended site management conditions should ensure neighbours are not adversely affected by the proposed works.	Y	
Traffic management		Due to the amount of material being removed and the location of the site a traffic management plan is not considered necessary.		
Construction crossing		Not required however a condition of consent is recommended to ensure any damage done to existing road surfaces or berms is repaired at the completion of the works.	Y	
Revegetation		A condition of consent is recommended to ensure all earthworked areas are revegetated or otherwise permanently stabilised at the completion of the works.	Y	

SERVIC ES	Existing Services	Existing services include connection to Council's effluent disposal, water supply, and power and telecoms. The building extension will not encroach on any existing services.	
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	Water	Potable	The site and existing building has access to Council reticulated potable water. The proposed building extension will connect into these same services as approved under the building consent process.	
		Fire-fighting	The distance from the property to the fire hydrants would have been assessed during the previous resource consenting application for the existing building. I am satisfied that there is adequate access to fire hydrants to serve the property.	
	Effluent Disposal		The site and existing building has access to Council reticulated effluent disposal. The proposed building extension will connect into these same services as approved under the building consent process.	
	Stormwater		No Council reticulated stormwater disposal is available. The site proposes to dispose of stormwater via on site soakage pits. I am satisfied that the soakage pit design will be assessed during the building consent process.	
	Power & Telecoms		Power and telecommunications were provided to the site as part of the underlying subdivision.	

NATURAL HAZARDS	Hazards on or near the site		The QLDC Hazard Register Map shows that the site is located within an area identified as having a nil to low level of liquefaction risk (LIC1).	
			The proposed earthworks are not considered to result in any adverse effects in regard to land stability.	
	Report on Hazards		The proposed earthworks are not considered to result in any adverse effects in regard to land stability. As a result, an expert report on the hazards is not considered necessary.	

## 1.0 RECOMMENDED CONDITIONS

It is recommended that the following conditions are included in the consent decision:

### **General**

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.

### **To be completed prior to the commencement of any works on-site**

2. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and "A Guide to Earthworks in the Queenstown Lakes District" brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

### **To be monitored throughout earthworks**

3. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
4. No earthworks, temporary or permanent, are to breach the boundaries of the site.

***On completion of earthworks***

5. On completion of the earthworks, the consent holder shall complete the following:
  - a) All earthworked and/or exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
  - b) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

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Prepared by:



**Carolyn Grisé  
CONSULTING ENGINEER**

Reviewed by:



**Richard Flitton  
PRINCIPAL ENGINEER**



## **APPENDIX 2 – CONSENT CONDITIONS RM150147**

### **General Conditions**

1. That the development must be undertaken/carried out in accordance with the plans:

Chris Prebble Architects:

- 'Existing Site Plan' PIM Issue 01, 4 February 2015
- 'Existing Floor Plan' PIM Issue 02, 4 February 2015
- 'Existing Elevations' PIM Issue 03, 4 February 2015
- 'Site Plan' PIM Issue 04, 4 February 2015
- 'Floor and Building Platform Plan' PIM Issue 05, 4 February 2015
- 'Elevations' PIM Issue 06, 4 February 2015
- 'Excavation Plan' Sheet No. 01, 4 March 2015

Baxter Design Group:

- Bradley – Tucker Beach – Concept MasterPlan, Reference: 2505 SK02, 19 February 2015;
- Bradley – Tucker Beach – Planting Palette, Reference 2505 SK03, 19 February 2015

**stamped as approved on 6 August 2015**

and the application as submitted, with the exception of the amendments required by the following conditions of consent.

- 2a. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
- 2b. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991 and shall pay to Council an initial fee of \$240. This initial fee has been set under section 36(1) of the Act.

### **Engineering**

#### **General**

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.

#### ***To be completed prior to the commencement of any works on-site***

4. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and "A Guide to Earthworks in the Queenstown Lakes District" brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

#### ***To be monitored throughout earthworks***

5. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
6. No earthworks, temporary or permanent, are to breach the boundaries of the site.

### **On completion of earthworks**

7. On completion of the earthworks, the consent holder shall complete the following:
- a) All earthworked and/or exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
  - b) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### **Hours of Operation – Earthworks**

8. Hours of operation for earthworks, shall be:
- Monday to Saturday (inclusive): 8.00am to 6.00pm.
  - Sundays and Public Holidays: No Activity

In addition, no heavy vehicles are to enter or exit the site, and no machinery shall start up or operate earlier than 8.00am. All activity on the site is to cease by 6.00pm.

### **Accidental Discovery Protocol**

9. If the consent holder:
- a) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder shall without delay:
    - (i) notify Council, Tangata whenua and Heritage New Zealand Pouhere Taonga and in the case of skeletal remains, the New Zealand Police.
    - (ii) stop work within the immediate vicinity of the discovery to allow a site inspection by the Heritage New Zealand Pouhere Taonga and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, the New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
  - (i) stop work within the immediate vicinity of the discovery or disturbance and;
  - (ii) advise Council, the Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the New Zealand Pouhere Taonga Act 2014 and;
  - (iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

### **Landscaping**

10. The approved landscape plan shall be implemented within the first planting season from completion of construction. Landscaping shall thereafter be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased it shall be replaced in the next available planting season.

### **Colours and materials**

11. The addition shall be constructed and maintained in materials and colours to match the existing dwelling.

### **Covenant**

12. The following condition of the consent shall be complied with in perpetuity and shall be registered on the Computer Freehold Register for Lot 2 Deposited Plan 452311 prior to occupation of the new residential unit, providing for the performance of the following condition on an ongoing basis:
  - a) A Section 108 covenant in favour of QLDC shall be registered on the Computer Freehold Register stating that Lot 2 Deposited Plan 452311 shall not be further subdivided (excluding boundary adjustments) until such time as the District Plan Zoning or applicable planning provisions contained within the Operative District Plan of the time provide as a permitted or controlled activity, for an increased density of more than two residential units.

## **APPENDIX 3 - Updated Conditions RM120176**

### General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
  - a) **Aurum Survey Consultants Ltd:**
    - 'Topographical Survey Plan of Lot 1 DP 422718 Tucker Beach Rd for Woodlot Properties (Drawing & Issue No. 3074-5T-1A)';
    - 'Building Platform RM110704 on Lot 1 DP 422718 Tucker Beach Rd for Woodlot Properties (Drawing & Issue No. 3074-6R-1B)'.
  - b) **Chris Prebble Architects:**
    - Existing Elevations PIM ISSUE dated 04 February 2015;
    - Existing Floor Plan PIM ISSUE 02 dated 04 February 2015

(stamped as approved on either 9 July 2012 or 6 August 2015)

and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991 and shall pay to Council an initial fee of \$100.
3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise

#### ***To be completed prior to commencement of works on the site***

4. Prior to commencement of construction of the dwelling, the consent holder shall give written notice to the Council that Stage 2 of the resource consent RM050235 is surrendered (if RM050235 has not already lapsed at that time). This consent may not be given effect to if Stage 2 of RM050235 has already been completed.

### Engineering Conditions

#### ***To be completed when works finish and before occupation of dwelling***

5. Prior to the occupation of the dwelling, the consent holder shall complete the following:
  - a) The construction of the access in accordance with Aurum Survey Consultants Ltd 'Engineering Approval RM110704' (stamped as approved 20/01/2012, ref: 3074.7E.1B) and 'Access for Building Platform Tuckers Beach Rd for Woodlot Properties' (stamped as approved 14/07/2010, ref: 3074-1E-3B) to Council's standards.
  - b) The construction of all vehicle manoeuvring and car parking areas to Council's standards.
  - c) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### Earthworks

6. At the completion of the earthworks, all exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised within 4 weeks.

### Landscape Conditions

7. The mound as approved under resource consent RM100374 located to the northwest of the dwelling shall be retained in perpetuity.
8. Cancelled.

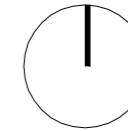
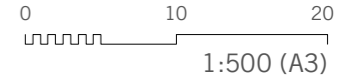
**APPENDIX 4 – UPDATED CONDITION A.) CONSENT NOTICE 9552013.5**

1 Condition A.) of Consent Notice 9552013.5 is amended to read as follows:

A.) *Residential units on Lot 2 shall be contained within the building platform shown as area E on DP 452311.*

*Except in relation to the residential unit plans approved under RM150147*

2 At the time consent is given effect to, the consent holder and Council shall vary the consent notice and shall execute all documentation and attend to the registration of a new or varied consent notice. All costs shall be borne by the consent holder.



- LEGEND:
- DENOTES PROPOSED ADDITION.
  - ▨ DENOTES ALTERATION.
  - DENOTES BUILDING PLATFORM.
  - DENOTES EXISTING STRUCTURE TO REMAIN.

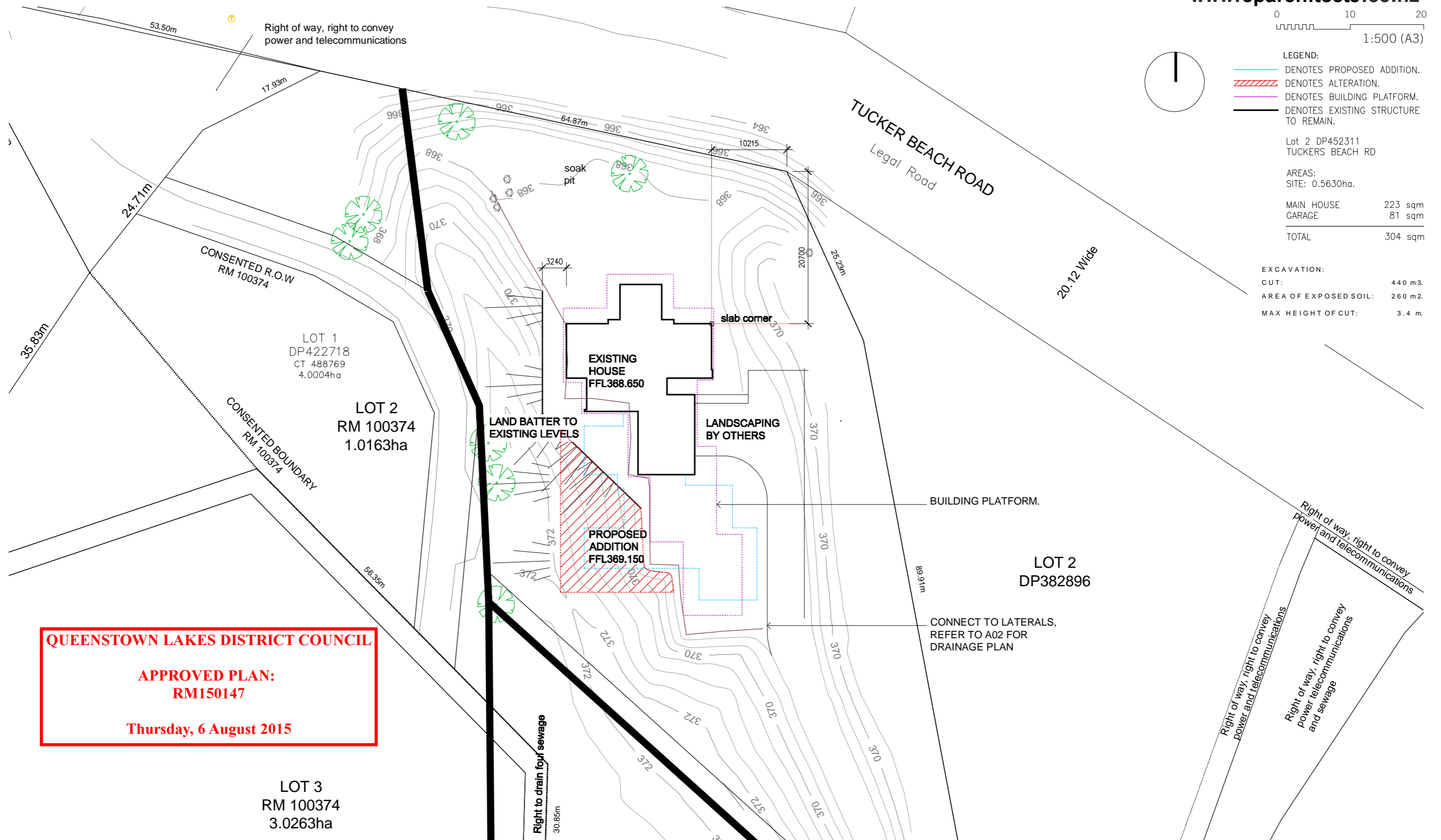
Lot 2 DP452311  
TUCKERS BEACH RD

AREAS:

SITE: 0.5630ha.	
MAIN HOUSE	223 sqm
GARAGE	81 sqm
<b>TOTAL</b>	<b>304 sqm</b>

EXCAVATION:

CUT:	440 m <sup>3</sup> .
AREA OF EXPOSED SOIL:	260 m <sup>2</sup> .
MAX HEIGHT OF CUT:	3.4 m.



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM150147

Thursday, 6 August 2015

EXISTING SITE PLAN

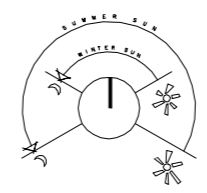
PIM ISSUE 01

d 04 FEBRUARY 2015

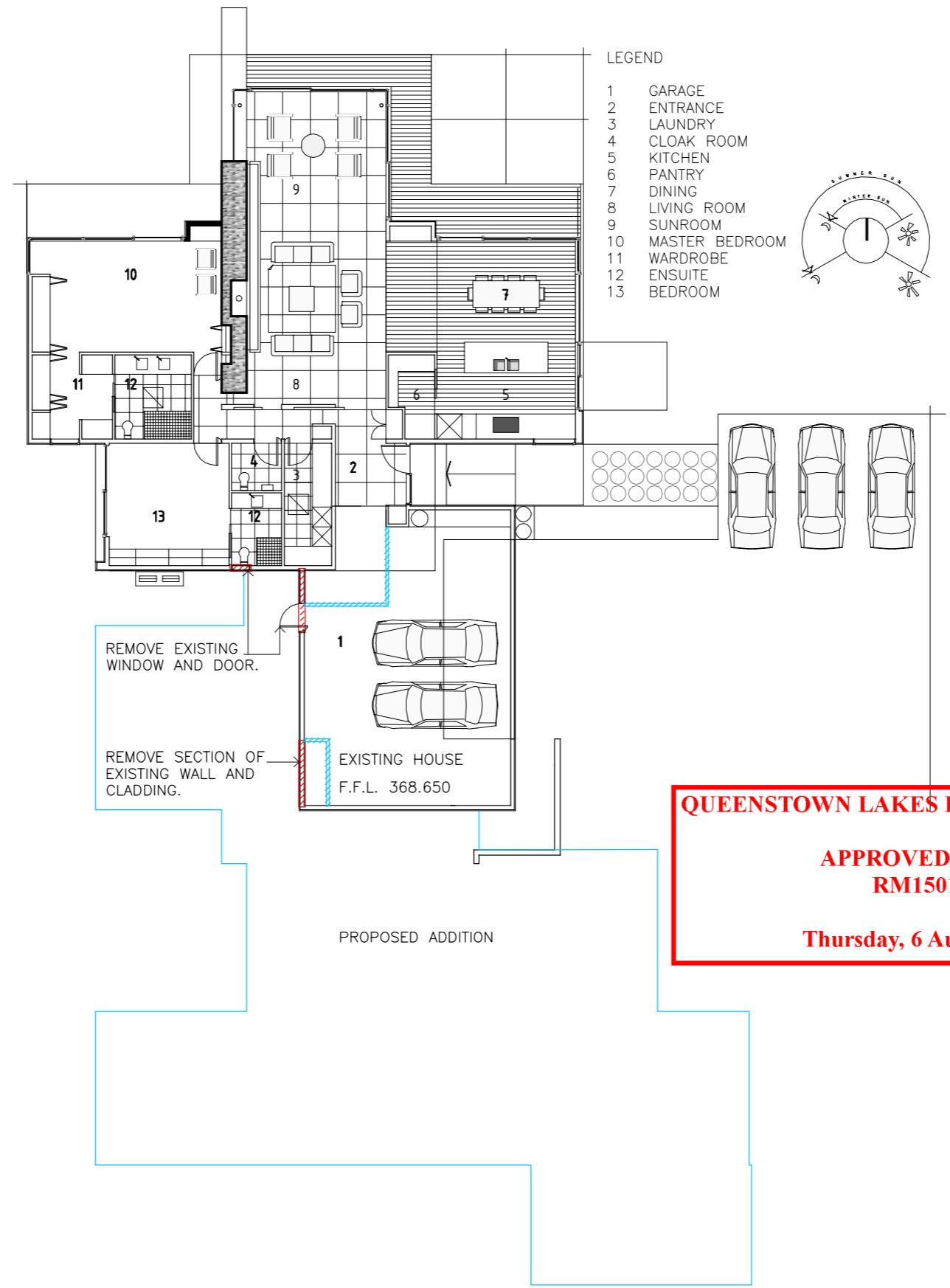
t 03 366 3349



- LEGEND
- 1 GARAGE
  - 2 ENTRANCE
  - 3 LAUNDRY
  - 4 CLOAK ROOM
  - 5 KITCHEN
  - 6 PANTRY
  - 7 DINING
  - 8 LIVING ROOM
  - 9 SUNROOM
  - 10 MASTER BEDROOM
  - 11 WARDROBE
  - 12 ENSUITE
  - 13 BEDROOM



- LEGEND:
- ▨ DENOTES PROPOSED ADDITION.
  - ▨ DENOTES ALTERATION.
  - ▭ DENOTES EXISTING STRUCTURE TO REMAIN.



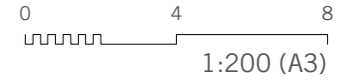
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**APPROVED PLAN:**  
**RM150147**  
  
**Thursday, 6 August 2015**




EXISTING FLOOR PLAN

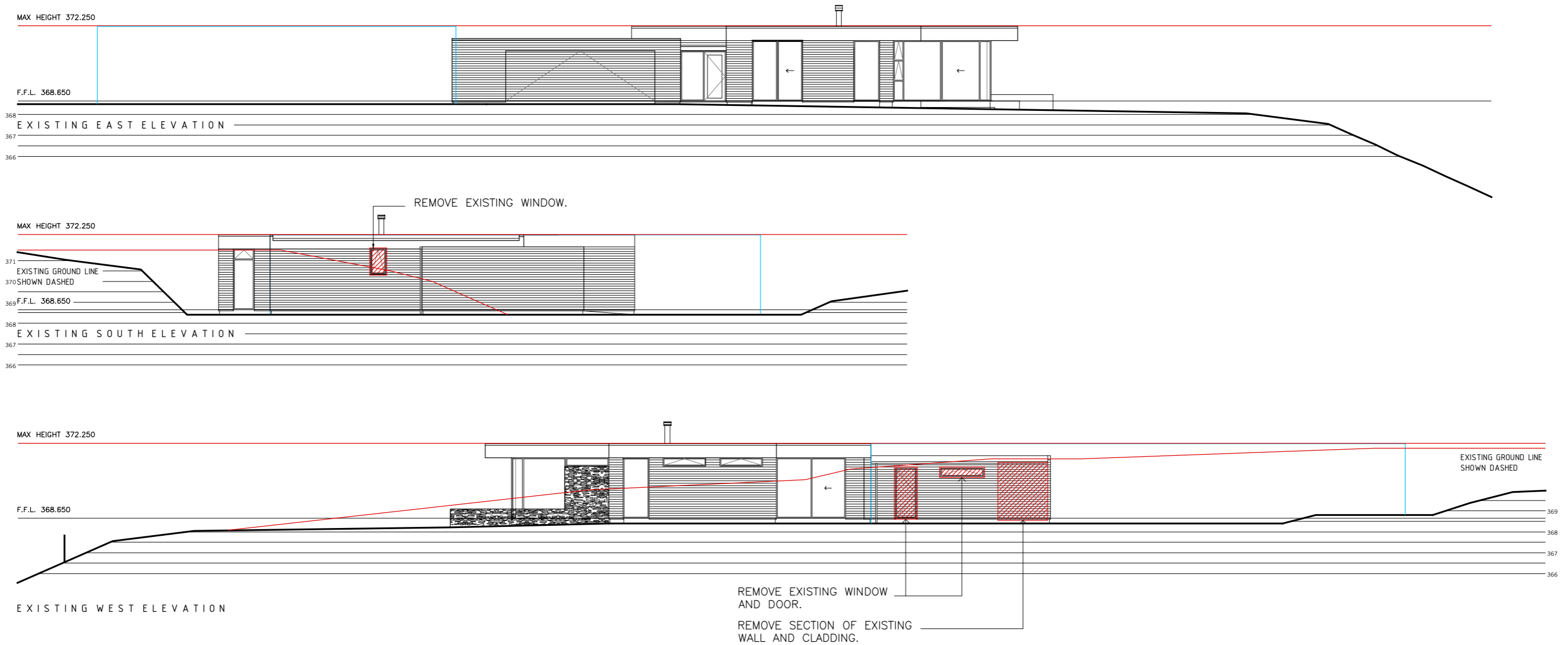
# BRADLEYHOUSEQUEENSTOWN

PIM ISSUE 02

d 04 FEBRUARY 2015  
t 03 366 3349



- LEGEND:
-  DENOTES PROPOSED ADDITION.
  -  DENOTES ALTERATION.
  -  DENOTES EXISTING STRUCTURE TO REMAIN.



EXISTING ELEVATIONS

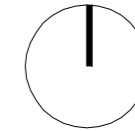
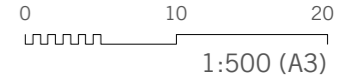
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d 04 FEBRUARY 2015

t 03 366 3349

**BRADLEYHOUSE**QUEENSTOWN

CHRIS PREBBLE  
**ARCHITECTS**  
REGISTERED ARCHITECTS & INTERIOR DESIGNERS



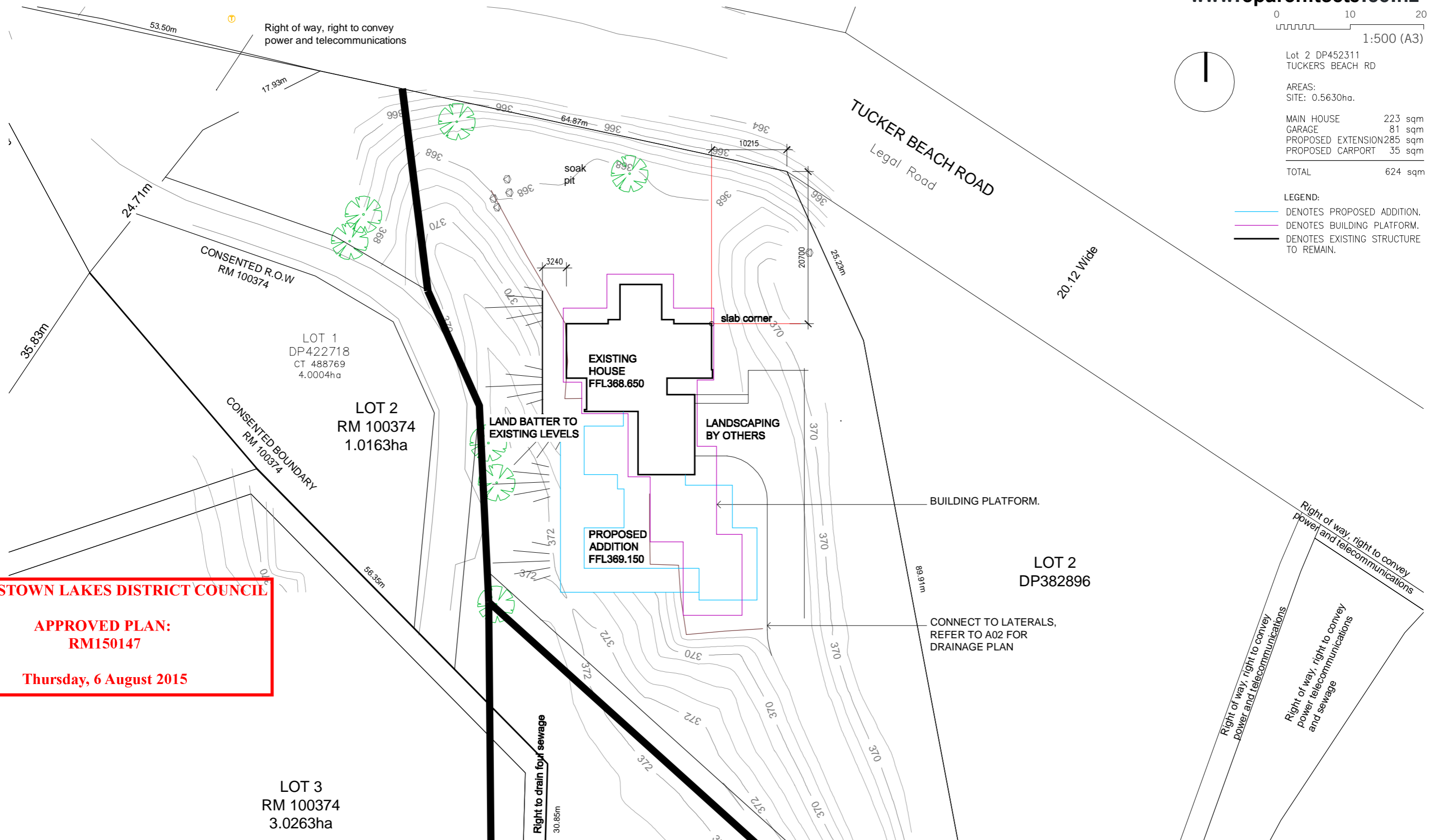
Lot 2 DP452311  
TUCKERS BEACH RD

AREAS:  
SITE: 0.5630ha.

MAIN HOUSE	223 sqm
GARAGE	81 sqm
PROPOSED EXTENSION	285 sqm
PROPOSED CARPORT	35 sqm
<b>TOTAL</b>	<b>624 sqm</b>

LEGEND:

- DENOTES PROPOSED ADDITION.
- DENOTES BUILDING PLATFORM.
- DENOTES EXISTING STRUCTURE TO REMAIN.



**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM150147**

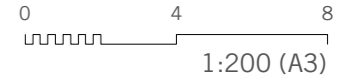
**Thursday, 6 August 2015**

SITE PLAN

PIM ISSUE 04

d 04 FEBRUARY 2015

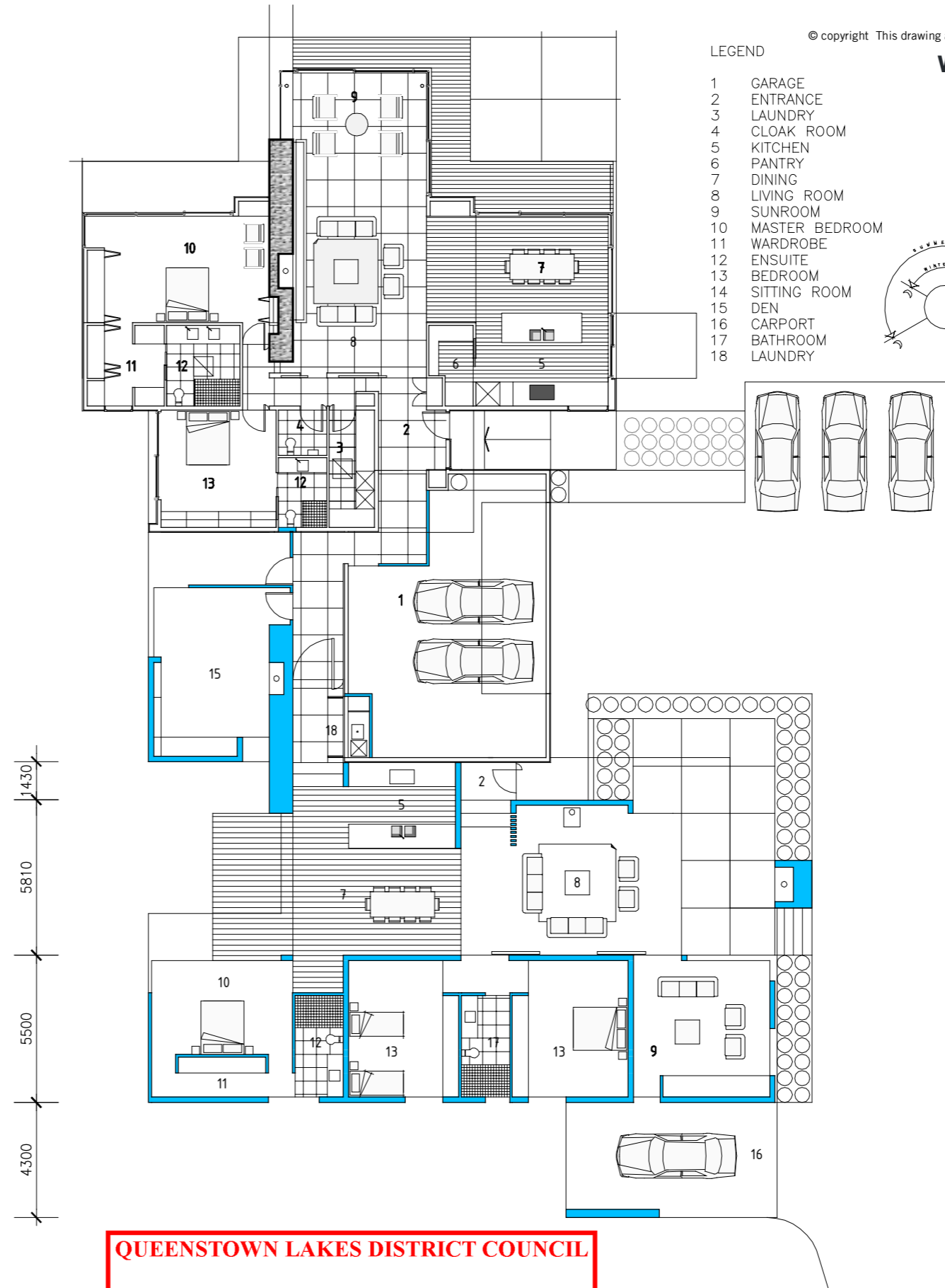
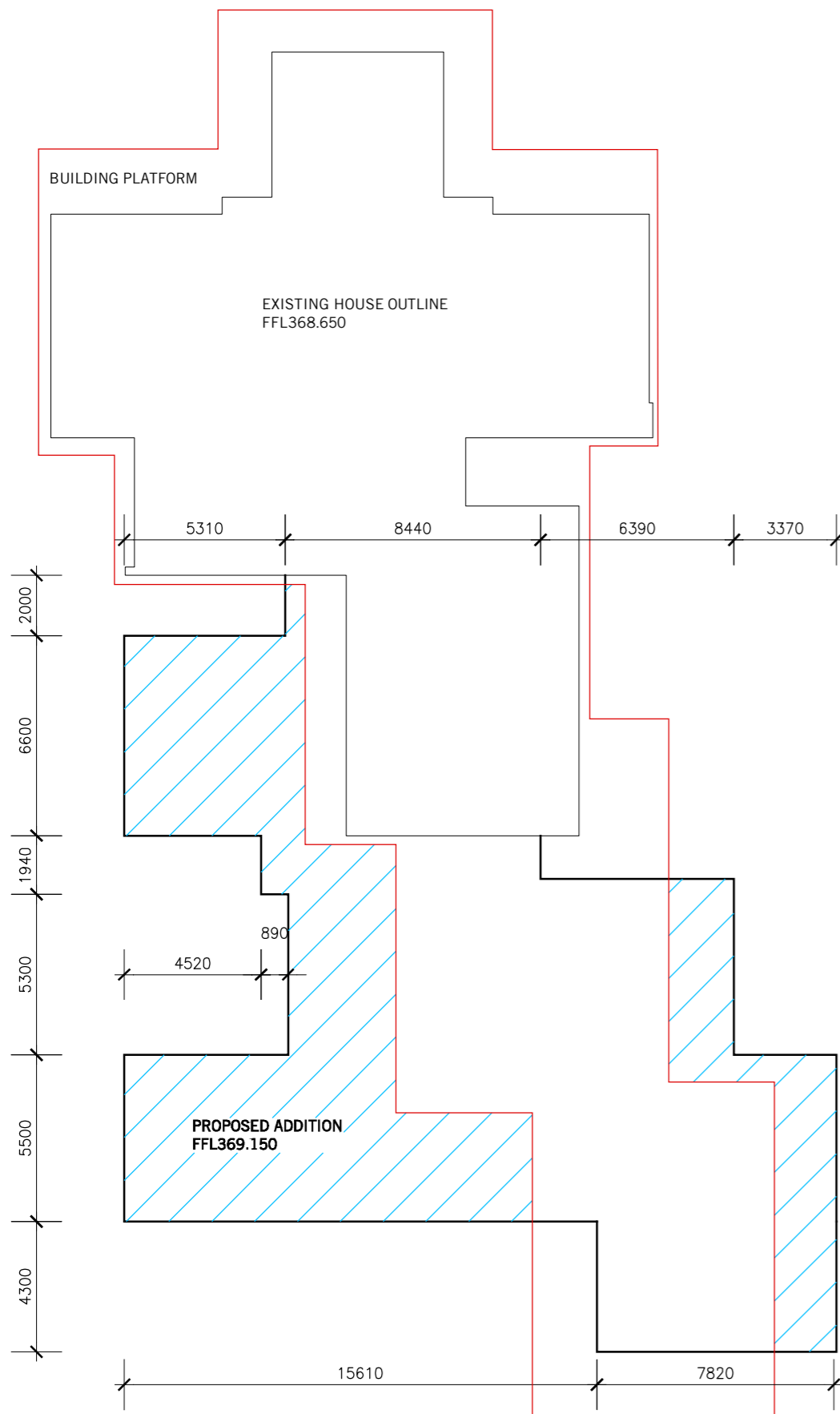
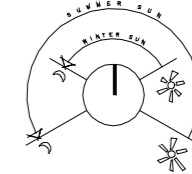
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LEGEND

- 1 GARAGE
- 2 ENTRANCE
- 3 LAUNDRY
- 4 CLOAK ROOM
- 5 KITCHEN
- 6 PANTRY
- 7 DINING
- 8 LIVING ROOM
- 9 SUNROOM
- 10 MASTER BEDROOM
- 11 WARDROBE
- 12 ENSUITE
- 13 BEDROOM
- 14 SITTING ROOM
- 15 DEN
- 16 CARPORT
- 17 BATHROOM
- 18 LAUNDRY

- LEGEND:
- ▬ DENOTES PROPOSED ADDITION.
  - DENOTES EXISTING STRUCTURE TO REMAIN.
  - ▬ DENOTES BUILDING PLATFORM.



**QUEENSTOWN LAKES DISTRICT COUNCIL**  
**APPROVED PLAN:**  
**RM150147**  
**Thursday, 6 August 2015**

FLOOR & BUILDING PLATFORM PLAN

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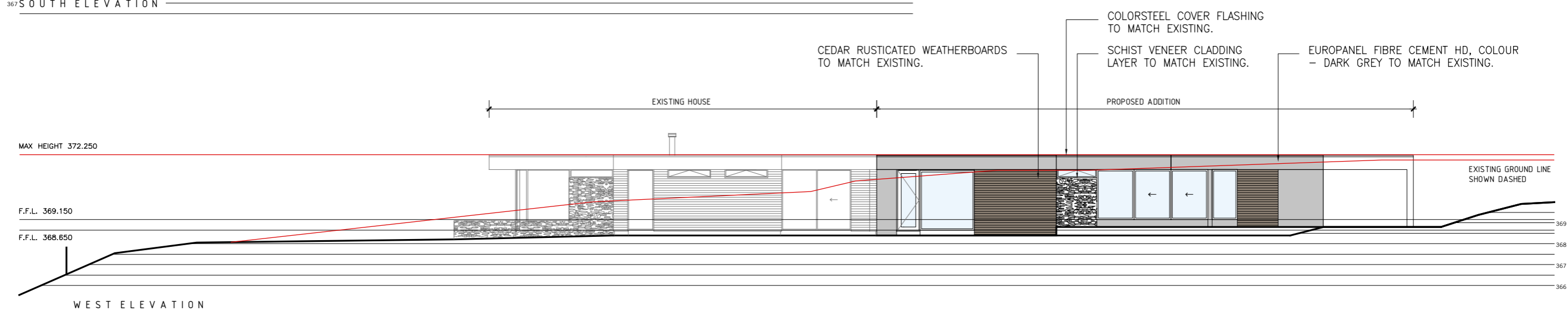
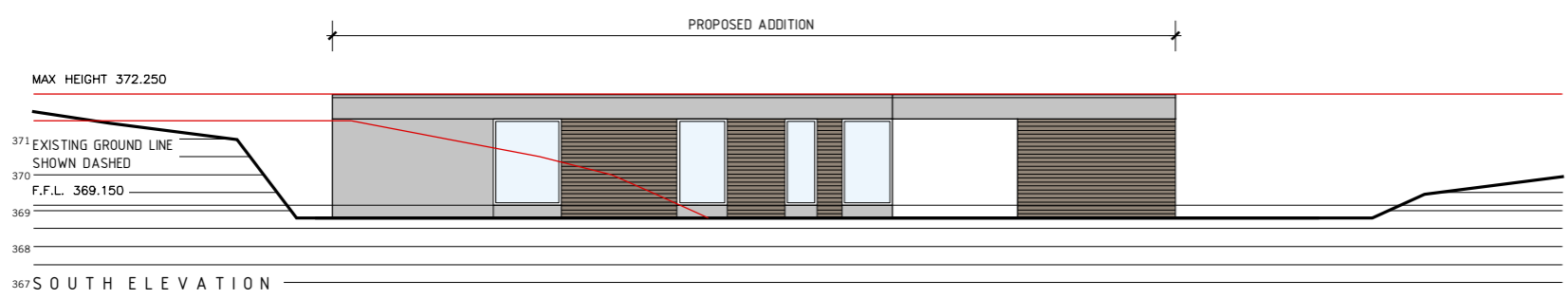
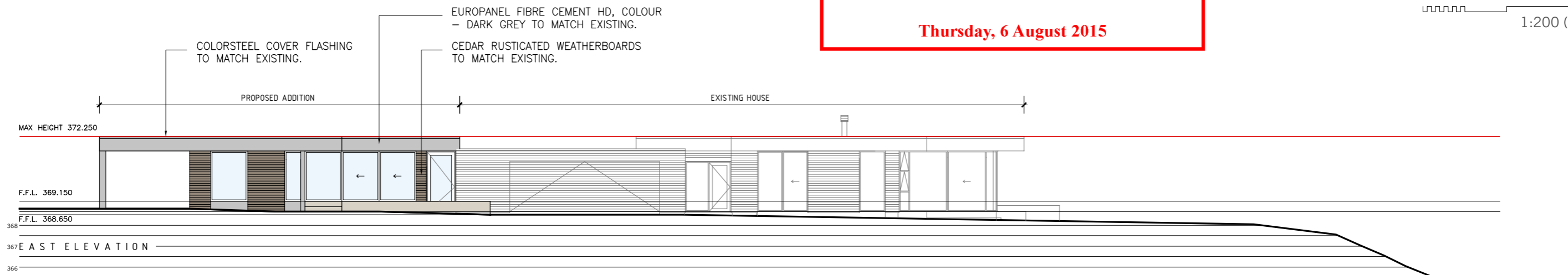
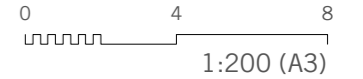
**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM150147**

**Thursday, 6 August 2015**

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ELEVATIONS

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**BRADLEYHOUSEQUEENSTOWN**

CHRIS PREBBLE ARCHITECTS LTD  
REGISTERED ARCHITECTS & INTERIOR DESIGNERS





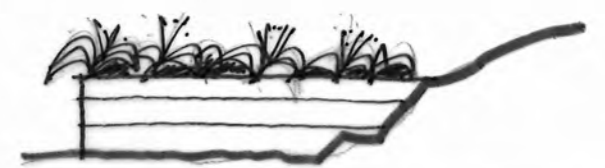




Planting to continue down to road

GRASS

PLANTER SECTION A-A  
SCALE 1:100.



MIXED NATIVE  
GROUNDCOVER &  
SHRUBS TO COVER  
BANK eg:  
GROUNDCOVER COPROSMA  
RED TUSsock  
PITOSPORIUM  
FLAX.

ROSE PICKING GARDEN  
EXISTING GRAVEL PATH

**QUEENSTOWN LAKES DISTRICT COUNCIL**  
  
**APPROVED PLAN:**  
RM150147  
  
Thursday, 6 August 2015

SLOPE DOWN TO TOP  
OF LOW SEATING WALL  
AP. 600mm HIGH.

RAISED PLANTER BEDS  
TO INTERSECT PATIO.  
EAST ENDS TO MERGE  
INTO BANK - SEE ABOVE.

NEW PLANTING ON SLOPE  
TO DEFINE COURTYARD AREA.

1.5m HIGH HORNBEAM  
HEDGE ALONG DRIVEWAY.

SMALL FEATURE TREES  
eg CRABAPPLE w/  
SEASONAL BULB PLANTING  
UNDER.

SALUTE TREE FOR  
NEW COURTYARD.

1.8m HIGH LAUREL  
HEDGE AROUND  
NEW COURTYARD.

LARGE AVENUE TREES  
TO CONTINUE ALONG  
DRIVEWAY TO EXISTING  
TUSsockS.

SHADE GARDEN:  
FERNS, HOSTAS etc.

SLOPE DOWN TO  
NEW 1m HIGH  
SPLIT STONE  
RETAINING WALL.

GROUNDCOVER  
PLANTING eg NY  
FOR BANK STABILISATION.

VISITOR PARKING

Bov. 369.0.  
Low. 370.0.





Viburnum opulus



Rose picking garden



Broadleaf Hedge



Acer palmatum "Osakazuki"



Hydrangea paniculata



Hedera canariensis or:



Arctostaphylos



Native Bank Planting



Hebe salicifolia



Chionochloa rubra



Pittosporum eugen.



Phormium tenax



Lavender "Grosso"



Prunus Tai Haku



Hemerocallis sp.



Prunus cerracifera



Broadleaf Hedge



Quercus coccinea

+ BRADLEY - TUCKER BEACH - PLANTING PALETTE

REFERENCE : 2505-SK03 - SCALE = 1:300 AT A3 - 19 FEBRUARY 2015

